The Nation.

NEW YORK, THURSDAY, SEPTEMBER 2, 1886.

The Week.

Two Republican State conventions adopted platforms on Wednesday, in Ohio and in Iowa. The most striking feature in these deliverances is the absence of any "plank" referring to the rights of colored men as distinguished from those of any other class of citizens. The Iowa Convention does indeed "denounce the abuses of the elective privilege which in the Southern section of our country, *and in many Northern cities*, continue to make elections a mockery," etc. The coupling of the Southern section with Northern cities removes the abuses of the elective franchise from the category of party politics. How painfully this omission to notice the "greatest crime of the age" will strike Senator Hoar, can scarcely be imagined. The remissness of the Ohio Convention is all the more remarkable since its deliberations were held under the immediate eye of Gov. Foraker, and within hearing of Senator Sherman, both of whom were nearly wild on the subject of Southern outrages in the last State campaign.

The two platforms are alike in demanding pensions for all soldiers who are disabled and in want, without regard to the cause or degree of disability or want. Both denounce President Cleveland for vetoing private pension bills. The Ohio platform calls these vetoes "heartless and wholesale." In the same breath both denounce the Administration and the Democratic party for reckless extravagance in appropriations of public money. The inference to be drawn from these two "planks" is, that the bung should be drawn out of the Treasury in favor of everything called a soldier bill, and the spigot which supplies the daily expenses to the Government stopped up. The Iowa Convention endorses the Morrison surplus resolution, and severely condemns the President for killing it by a "pocket veto," this act having been committed "in violation of the expressed will of the people"—a view which the Republicans of the Eastern States do most explicitly dissent from. The Ohio men had nothing to say about the surplus resolution, but they went to the extreme of absurdity in another direction, demanding an increase of the duties on wool, which will certainly not be tolerated by their brethren in the East. Aside from the points enumerated the two platforms are very much alike, consisting in hearty approbation of virtue, morality, and good order, and vigorous denunciations of the wicked.

Still another Republican State Convention, that of Michigan, has adopted a platform without any allusion to the rights of colored men as distinguished from the rights of white men. Three such platforms in two days constitute a most striking acknowledgment of the success of President Cleveland's Administration in eliminating the negro question from politics. It would not be far out of the way to say that the Republican party has declared "in thunder tones" that there is no longer any such issue, and that the accession of the Democrats to power has been the cause of its disappearance. It is certain that the Republicans never before failed to make the most of it. It is equally certain that they would not fail now to "wave the bloody shirt" if there were any such thing to wave. Moreover, the Republicans in convention assembled are just as keenly alive to the dangers attending Chinese labor, and pauper labor, and contract labor, and prison labor, as the Democrats. It is not that they have forgotten any of the rights or wrongs of the downtrodden and oppressed. They have simply recognized the fact that the ensanguined garment has gone from among us. Surely, nothing could be more easily spared.

A further step towards wiping out the color line in our politics was taken in Pennsylvania on Thursday, when the Rev. J. M. Palmer, a negro clergyman of Pittsburgh, announced his desertion of the Republican party and was nominated for Congressman-at-Large by the Prohibition Convention. Mr. Palmer said that he had been a Republican, and admitted that his race owed a great debt to the Republican party; "but I think," he added, "the debt has been paid, and paid with compound interest, too." The convention in which he stood meant, in his opinion, that black men are to act like white men on public questions; "we are not to be moved any more by our emotion and sensibilities, but to exercise our rights as we see them to be right." "The color line," he declared, "is a thing of the past."

A story comes from Washington that certain Republican managers think of transporting a number of negroes from the South to States like Indiana, where more Republican votes are badly needed. There has been much talk of such a project for years, and there doubtless are Republican politicians silly enough to have seriously considered it. But it would be a dangerous experiment in these days, when the party managers in Arkansas are confronted with bolts among the colored voters, and the stump speakers have to plead with them not to vote the Democratic ticket, and when a negro is the candidate for State Auditor on the Democratic ticket in Kansas.

The Republican managers are divided in opinion as to how the Prohibitionists ought to be treated. One set favors the plan of coddling them, while another is so thoroughly out of temper that it cannot resist the temptation to call names. Senator Frye of Maine is one of the latter wing, and declared in his recent speech that some of the leaders of the third party are "unblushing, impudent scoundrels, who are helped by the Democratic party to defeat the Republican party." But this policy of abuse does not strike many Republicans as good politics. Thus, the Rutland *Herald*, one of the leading Republican papers of Vermont, says of Senator Frye's speech, referring to the "smirch" passage as well as the "scoundrel" business: "Whether this is true or not, we question its wisdom. If the Republican party would win next time, it must cease calling names, come up to its old-time high standards, merit the confidence of the best men, and thus make it impossible for bad men in shining garments to mislead any considerable number."

The action of the Prohibition party in Pennsylvania in putting a full State ticket in the field, composed entirely of former Republicans, makes the situation there extremely interesting. The Republican managers are perceptibly troubled by the outlook, and well they may be. The head of their ticket is a weak man personally, who has been defeated once for the same office. He does not command the full support of his party, as the Blaine faction, which openly opposed him in his former canvass, is not heartily supporting him now. The Democrats also have made a poor nomination in selecting as their candidate for Governor an avowed opponent of the President's civil-service reform policy. In this condition of affairs a full Prohibition ticket with such an experienced campaigner at its head as Charles S. Wolfe is likely to insure a lively canvass, if it does not wipe out that seemingly indestructible Republican majority of 80,000 which the State gave to Blaine.

Mr. Blaine's speech has of course been hailed with the usual round of acclamations by the thoroughgoing Blaine organs, which style it "a masterpiece of lucid exposition" and laud its "luminous diction and elevation of tone." But it is noticeable that the Republican newspapers which are something more than mere personal organs, either are reserved in their comments or openly express their dissent. Thus the Providence *Journal* points out that Mr. Blaine's argument that the great increase in savings-bank deposits in the manufacturing States is attributable solely to protection, is "at once one-sided and incomplete," since it leaves out of sight other important factors, while his omission to give any hint that the tariff requires modification it thinks "is not true statesmanship." The *Journal* exposes the weakness of other passages in the speech, and concludes with this severe characterization of the effort:

> "On the whole, we do not see that Mr. Blaine has contributed anything to the perspicuity of Republican doctrines or to the theory of future success. He wholly ignores the question of the currency; he has not one word to say in behalf of civil-service reform; he sees nothing worthy of notice in the growing material and social prospects of the South, and he perceives nothing for praise or gratitude in the immense agricultural advance and wealth of the country. The speech is the speech of an advocate, and not the speech of a statesman."

Mr. Blaine's notions of "protection to home industry" do not admit that there is any room for reform in the tariff except perhaps in the direction of an increase of duties on imported goods. He "points with pride" to the fact that no word and no vote was ever given by him inconsistent with this view. This statement, like many of the positive declarations made by Mr. Blaine on great public occasions, is extremely misleading. He did

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vote to remove the duties on coal in the Forty-second Congress, and he boasted of this vote in a debate in the same Congress, as tending to show his own disinterestedness, he being at the time an owner of coal lands in Pennsylvania. (Vide *Cong. Globe*, First Session Forty-second Congress, page 126.) Now a vote for free coal cannot be distinguished in principle from a vote for free ore, or free salt, or free codfish. In other words, it cannot be distinguished from the principle of the Morrison bill, which was, on the whole, a milder and less radical measure than the one favored by Mr. Blaine in 1871-72

The American Free-Trade League have issued an address to the public which falls in very pat with Mr. Blaine's attempt to revive an interest in the doctrine of "protection to home industry." The address points to the failure of the large Democratic majority in the House of Representatives to pass a bill for tariff reform looking only to the removal of the heavy burden of taxation from a few leading industries, and to the refusal of the Republicans even to consider a measure to that end, although both parties are committed by their platforms to some kind of reform of the tariff. Under such circumstances the Free-Trade League consider that the time has come when all persons who believe in tariff reform should cast their votes for or against candidates for Congress on this distinct issue. Taking the vote on the Morrison Tariff Bill as a guide, it may be seen that a very small change in the complexion of the House would suffice to convert the minority into a majority, and that this change might be effected by less than 5 per cent. of the voters in a few Congressional districts. The address does not propose the formation of a new party, but merely such action as may be necessary to make the tariff-reform vote effective in both parties.

Since Mr. Blaine entered upon the Maine canvass he has been met everywhere with a circular calling attention to the famous scheme of distributing the whiskey tax among the States, which he brought out with such a flourish three years ago, but dropped like a hot potato when he found that it did not take with the public. It was an embarrassing dilemma, but he finally concluded to stand by his old position, much as he disliked to say anything about it. So he said: "I would do it again, and if the issue ever comes where the United States does not need the tax, then let the United States still raise it and give it per capita to the States, and they will find some good use for it." But this reaffirmation of the doctrine only serves to emphasize in the public mind the conviction of the wrongheadedness of a man who can advocate such a policy, and provokes such exposures of Mr. Blaine's weakness as these remarks by the Hartford *Courant*, Senator Hawley's paper:

"Taxing the people, not for the legitimate expenses of the general Government, but for giving a largesse to the several States, would be a blow at the independence of the States quite equal to that of putting into the hands of the general Government the power to prohibit the sale of liquor in the States, or assuming the control of their schools. This notion involves a danger more far-reaching to our Union than the thoughtless may imagine. We lean, as paupers, on the Federal Government too much already."

The Blaine campaign in Maine develops fresh humorous features every day. The laboring men seize every occasion to express their contempt for Mr. Blaine's deliverances on the questions which especially concern them, and some of their speakers make exceedingly effective retorts upon him. Thus, Ralph Beaumont of New York evoked hearty applause from a gathering of 4,000 Knights of Labor on Monday, when he contrasted Mr. Blaine's praise of protection with the wretched condition of the miners in the celebrated Hocking Valley region, and said: "For twenty-five years we've had this protection Mr. Blaine offers us, and we have made more millionaires and more paupers under that system than were ever made in a civilized country on the earth in the same time before." While the labor orators are thus ridiculing his nostrum for the cure of the labor troubles, Mr. Blaine's temper is aggravated by the reception which the press of the country has given Senator Frye's famous "smirch" speech at Houlton ten days ago. He is represented by a reporter of the *Sun*, writing from Houlton, Me., to be very angry with Mr. Frye, and poor Mr. Frye, in his attempts to explain, has been forced to have recourse to the familiar old Blaine dodge of claiming that he was misreported. The joke of this is that it raises a "question of veracity" between Mr. Frye and that thoroughgoing Blaine organ, the Boston *Journal*.

The anti-Edmunds movement in Vermont, according to a saying of Judge Poland reported in the *Herald*, "has produced scarcely a ripple in the smooth current of Vermont politics." This is probably true, but the reelection of Mr. Edmunds, when it takes place, will produce something more than a ripple in national politics. The Vermont Senator said as plainly as possible in the last Presidential campaign: "I will vote the Republican ticket because I think that the Republican party is the fittest to be intrusted with national administration, but I consider the Republican nominee for the Presidency an unfit person to hold that office." The charge brought against him by the Blaine faction is precisely this. Neither Mr. Edmunds nor any one of his supporters has ever denied or palliated it. Now, if a charge of this kind, which is agreed to be well founded and sustained and not denied by anybody, is of so little moment that it produces scarcely a ripple in the politics of the strongest Republican State in the Union—if the person against whom the charge is made is reelected by a practically unanimous vote, without previous repentance and absolution—then of course the State of Vermont agrees with Senator Edmunds in this matter. The official promulgation of this doctrine will reinforce in a remarkable way Senator Edmunds's advice to the party to go West and choose an unblemished candidate next time.

There seems to be no doubt that the veteran soldiers of the country have repudiated Senator Logan's claim to be their especial friend. The returning delegates from the Grand Army Convention in San Francisco agree in saying that Logan was roundly snubbed there. He took it upon himself to go there and put himself forward as entitled to "run" the Convention. He unfolded there the idea which he had broached a few weeks earlier in Chicago, that every man who served as a soldier in the war came out of the service less competent to earn a livelihood than when he entered, and was therefore entitled to a pension. The Convention adopted by a vote of four to one a resolution condemning this idea, thus telling Logan to his face that they were not the beggars which he had assumed them to be. Their action has seriously damaged the main claim which Logan had for being considered a candidate for the Presidency, and is a most welcome sign that the pension abuse has been carried to its utmost limits. One by one the old "issues" are being pushed aside by the steady progress of events, and as each issue disappears there goes with it a Presidential candidate.

The Democratic press of the South evidently means to leave no doubt as to its attitude towards the Democratic spoilsmen who conceived the idea of supplanting Cleveland with Hill. The Galveston *News*, the leading Democratic paper of Texas, returns to the subject in another leading editorial article, entitled "Can the Spoilsmen and Jobbers Defeat Cleveland?" The *News* sets forth the scheme of these classes to defeat Cleveland in the next Democratic National Convention by "stocking the New York Convention" and sending a Hill delegation, on the presumption that no party will ever nominate a candidate whose own State delegation is against him. The *News* admits that it is very unusual for a candidate to be nominated who has not the united support of his own State, but it points out that a convention is not entirely hedged in by formalities, and that it is possible that delegates may look behind the returns. "There is such a thing," it says, "as the Democrats of the South and West loving Cleveland for the enemies that he has made, and, thus loving him, proceeding to mow down precedents and nominate him over the protests of a stocked delegation from New York." The *News* confesses that if Cleveland should be defeated for renomination by the spoilsmen and jobbers, it would be fatal to the Democratic party, and it concludes that "if the jobbers and spoilsmen should succeed in New York, the Democrats of the South and West, and of New England and the Middle States, would have a duty to perform." This is healthful and refreshing talk, and the best thing about it is that the *News* represents the prevailing sentiment among Southern Democrats, as is clearly shown by the course of the Democratic press throughout that region.

What everybody just now wants to know is, how the Democrats really feel towards their President. The action of the Democratic State conventions in endorsing the Administration throws some light upon the question, but it is objected that such resolutions may be adopted without sincerity and simply as a matter of policy. The best possible way to test party sentiment is to find out how the members of such conventions feel personally towards the President, and what they report to be the feel

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ing of the people whom they represent. The St. Louis *Globe-Democrat* has done the public a service by presenting a long series of short interviews, which show clearly what Democratic sentiment is in a State where the President's reform policy encountered perhaps as many obstacles and as much prejudice as anywhere in the country. When the Missouri Democratic State Convention met at St. Louis, the *Globe-Democrat* sent out a large corps of interviewers among the delegates as they loitered about the hotels or took an excursion down the river. Not half-a-dozen delegates shrank from expressing their convictions with entire freedom. The result is twenty-two columns of fine type, giving the brief replies of about 350 delegates to questions whom they favored for United States Senator, how they stood on the prohibition question, what they thought about the President's policy, and what Democratic candidate they favored in 1888.

The last two points are of national interest, and we have taken the pains to look through all the replies to these questions. They constitute uncommonly interesting reading, being strongly tinctured with the individuality of the speakers, and they are full of encouragement to the friends of civil-service reform. Out of 348 men who expressed their views, no less than 325 declared themselves in favor of Cleveland's renomination. Half-a-dozen want to see Gov. Hill made the candidate in 1888, these including several who declared their belief in the maxim "To the victors belong the spoils," while the rest favor Morrison or some other Western man, mostly on the ground that Cleveland's financial ideas are too pronouncedly Eastern. A considerable proportion of the 325 found more or less fault with the President's civil-service policy, complaining that "he don't turn the Republicans out fast enough"; "he don't turn the rascals out fast enough to suit me"; "he caters to the Mugwump element entirely too much." But scores of delegates endorsed Mr. Cleveland's policy without the slightest reservation, and with the utmost heartiness, among them being several office-holders elected by Democratic votes, and several editors of Democratic county papers.

It is observable that the Democratic State Convention of Illinois came short of endorsing the Morrison surplus resolution. Instead, they resolved "that the surplus in the national Treasury be applied in payment of the national public debt, to the end that large accumulations in the Treasury beyond the proper necessities of the public service shall not occur, thus assuring honest and economical government, and relieving the people from unnecessary and oppressive taxation." This is exactly what the Treasury Department is doing and always has done under Democratic as well as Republican Administrations. The Morrison resolution called for the disbursement of a fixed sum monthly, regardless of the "proper necessities of the public service." Mr. Morrison is entitled to sympathy under the circumstances. The Iowa Republicans were much more considerate of his feelings: they squarely condemned the "pocket veto."

An attempt is being made to organize a sort of "no-rent" or "anti-landowners' party" in the city of New York, to which Mr. Henry George modestly sends word that if 30,000 signatures can be obtained to a petition begging him to stand as its candidate for Mayor, he will make that sacrifice. The aims of such a party can be inferred from the nature of Mr. George's apostolate, which proceeds from the dogma that the reason why those who have nothing are poor is, that anybody is permitted by law to own land. A party founded on the principle that if nobody were permitted to own land or anything else all would be rich, is therefore among the possibilities of the immediate future. The inquiry is often made, Why do not all the conditions exist in America for an agitation of the "rent" question and of the "private title to land" question here as in Great Britain? Our private estates are becoming as large in value as any in the world, and some of the largest of them, as the Astors', consist almost wholly of improved lands held for rental. Moreover, although in Great Britain the system of "rack-rent" has become disreputable and identical with cruelty, not only among tenants, but among landlords themselves, it is a singular fact that all the lands rented in America are rented upon "rack-rent," that term meaning the highest rent a landlord is able to get by freely offering his land to the highest bidder. No tenant in the United States thinks of asking a landlord to rent his land or building for less than the highest rent he can get, and never, since the anti-rent agitations of fifty and sixty years ago near Albany, could the least political capital be made by any party by opposing evictions of tenants who failed to pay their rent. The very tenants who regarded it as the extreme of tyranny when they were turned out of their tenant homes in Ireland, can be daily seen in our district courts applying for writs to evict their own tenants here in a manner at least as summary as is known to English or Irish law; yet no outcry is made and no injustice is felt to exist in the case either by the landlord or the tenant. No one doubts that Henry George or John Most, if either owned a house in New York in which a tenant did not pay his rent, would evict the tenant with ordinary promptness and without making any discrimination between land rent and building rent. The propriety of doing so is not questioned in the conscience of any man or class.

In the interval of waiting before the international yacht races begin, public feeling over them seems likely even to outrun that of last year, when the *Genesta* excited more attention than any boat which ever had been seen in our waters. Though both boats are different this year, the contest still presents the same conditions of complicated interest. It is not only an affair of national pride, but a struggle of types. This leaves it a simple matter for the adherent of sloops, but the most patriotic of cutter men "do perceive here a divided duty." They cannot wish to see the cup go abroad, and they cannot wish to see a cutter beaten by a sloop. Probably among yachtsmen of either class the professional feeling is the stronger, and they wish the best boat to win, though fully persuaded beforehand which boat that is. The general public, incapable of such heights of sportsmanlike virtue, desires at least that the Englishman may be beaten, without accident or "fluke," in good sailing weather.

Through the cloudy atmosphere of the East a few facts respecting the Bulgarian revolutions seem now to be discernible. Prince Alexander was assaulted in the night by a band of pro-Russian conspirators, taken prisoner, and conveyed to Russian territory. He would have been detained there if Russia had dared to hold him, but neither the public sentiment nor the court sentiment of Europe would tolerate deprivation of the Prince's liberty. The plot was conceived and executed without the previous knowledge of Prince Bismarck or Count Kálnoky, although both were well aware that Russian intrigue was working against the Prince and that it might take any conceivable shape at any conceivable time. The counter revolution, an entirely spontaneous movement, took place almost immediately, and the diplomats of the Continent set themselves to the task of keeping the peace by persuading Prince Alexander not to go back to Bulgaria. Probably England gave different advice. The Prince, like the high-spirited man he is, would listen to nothing but the cry of his people calling on him to return.

It would be rash to conclude that the dramatic chain of events of which Alexander's restoration is the latest, has come to a stop in the final triumph of a good cause. What has just happened shows how deep-seated is the antagonism of Russian and Germanic national sentiment. Alexander was hunted down by secret tools of Russian Panslavism merely because he is a German; the whole Russian press sounded pæans over his downfall. All Germany—soldiers and civilians, students and officials alike—exult in his recall. The Czar's Government is unable to resist the current of outraged Russian patriotism and insidious Russian demagogism. Bismarck himself, though perhaps inclined to sacrifice some prestige to the interests of peace, will be powerless to stem the tide of German indignation and Magyar animosity if Alexander of Battenberg is not allowed to continue his reign in the anti-Russian interest. Sooner or later some untoward event will force Russia or Austria-Hungary to intervene and begin the great irrepressible conflict in the east of Europe, for which Russophils long from sincere race prejudice, Nihilists from a desire to embroil Czardom in a perilous adventure, Magyars and Teutons from hatred and dread of the Slav power, and French chauvinists in the expectation of a chance to wipe out the memory of Sedan. Greeks and Rumanians, Poles and Montenegrins, build hopes on it, and their excitement adds strength to the never-subsiding ferment of the "Eastern question." England and Turkey dread the outbreak of the conflict, for they have nothing to gain from it, but they may be called to play an important part in it—jointly or otherwise.

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SUMMARY OF THE WEEK'S NEWS.

[WEDNESDAY, August 25, to TUESDAY, August 31, 1886 inclusive.]

DOMESTIC.

THE State Department has just received an order issued by President Diaz, the Chief Executive of Mexico, through the medium of a circular issued by Señor Mariscal, the Mexican Minister of Foreign Affairs, and distributed throughout the Mexican States, from which it will be seen that the Cutting episode and the action of our State Department in relation thereto are beginning to bear good fruit, which will doubtless benefit Americans now and hereafter under arrest in Mexico. The order recommends that "in case of the arrest of a foreigner for any cause within the limits of your State, you remit to this Department, as soon as possible, a detailed report of the causes for action or legal process, and of the status of the same."

The Iowa Republicans on Wednesday nominated a ticket headed by F. D. Jackson for Secretary of State. The platform charges that the Democratic party has not kept its promises; condemns the "pocket veto" of the Treasury surplus resolution; favors further pension legislation, and condemns the President's veto of pension bills; calls for protection of American labor against pauper and convict labor at home and abroad, and expresses sympathy with the cause of Ireland.

The Ohio Republicans on Wednesday renominated Gen J. S. Robinson for Secretary of State, and nominated M. J. Williams for Supreme Court Judge. The platform declares that the Democrats have failed to keep their pledges; condemns "the heartless and wholesale vetoes by President Cleveland of the private pension bills recently passed by Congress"; favors a high tariff and "the creation by Congress of a national department of labor, the head of which shall be a Cabinet officer, whose duty it shall be to collect, systematize, and publish statistical information relating to the social, sanitary, educational, and commercial condition of the workingmen of the nation"; and extends greetings to Gladstone and Parnell.

The North Carolina Democratic Convention on Wednesday nominated three candidates for judges. A resolution in favor of civil-service reform offered to the Committee on Platform was quickly voted down. The Convention, rather than pass any resolution approving this reform, adjourned without adopting any platform.

The Texas Republicans on Thursday nominated a full State ticket, with A. M. Cockran for Governor. The platform favors the submission of a prohibitory amendment to the people; opposes the hiring out of convicts, and demands their confinement within the walls of penitentiaries; denounces the oppression of the mercantile and laboring interests by monopolies, and favors the Blair Educational Bill.

The Michigan Republicans on Thursday nominated a ticket with Cyrus G. Luce for Governor. The platform favors a protective tariff; declares that "the money of the Constitution is gold and silver coin; and the paper representatives of money, including gold and silver certificates and Treasury and bank notes, should always be converted into coin of equal denomination at the will of the holder"; denounces the President's pension vetoes, and charges the Democratic party with incompetency. There were two reports on the Prohibition question; the majority report, to the effect that "when any considerable portion of the people desire to express themselves by voting upon a change in the organic law, they ought to be allowed to do so, and that the temperance question is one upon which that expression should be permitted," was adopted by a large majority.

The Illinois Democrats on Thursday nominated H. F. T. Riker for State Treasurer. The platform "cordially approves the Administration of President Cleveland for its faithful adherence to the principles of the Democratic party and to the pledges made to the people before the election, and for its ability, integrity, and economy in the administration of national affairs"; favors a revenue tariff and "a financial policy in which gold and silver coin and paper currency convertible into coin on demand shall constitute the circulating medium; that the surplus in the national Treasury shall be applied in payment of the national public debt, to the end that large accumulations in the Treasury beyond the proper necessities of the public service shall not occur, thus assuring honest and economical government and relieving the people from unnecessary and oppressive taxation"; denounces "all conspiracies to defy or resist the constituted authorities," and declares that "the prohibition by Constitution or by general laws of the manufacture or sale of vinous, malt, or spirituous liquors would be in violation of individual and personal rights, and contrary to the fundamental principles of free government."

The California Republicans on Friday nominated for Governor John F. Swift, who was one of the three special envoys sent to China to negotiate the amended treaty between the United States and China. The platform favors coöperation among laborers and the free coinage of silver; denounces the Democratic national Administration for seeking to deprive the people of silver as a circulating medium; and advocates the passage of laws absolutely restricting further immigration of Chinese, but claims for those now in the country under treaty stipulation the protection of the law.

The Prohibitionists of Pennsylvania held an enthusiastic convention last week and nominated a full State ticket, with C. S. Wolfe for Governor. The candidate for Congressman-at-Large, the Rev. J. M. Palmer of Pittsburgh, is a colored man.

A convention in the interest of the New York State canals, held at Syracuse on Wednesday, voted down all resolutions looking to Federal aid for these canals, and adopted resolutions in favor of their enlargement and improvement by the State.

The Prohibitionists are following up Mr. Blaine very closely in Maine. At the Republican meeting in Lewiston on Friday, circulars entitled "Mr. Blaine Defines his Position" were scattered everywhere. They read: "Mr. Blaine, in his speech at North Berwick, declares himself in favor of Government liquor taxation and a distribution of the liquor revenue among the States. Would not this result in fastening the liquor traffic upon the Republicans? How, as a Republican Prohibitionist, can he advocate such a doctrine? Since Government taxation of the traffic recognizes the sale of liquor and demands compensation for the privilege of the manufacture and sale, does not Mr. Blaine place himself in the light of an open advocate of a national license law?"

Ex-Gov. St. John, in response to the question, "Do you propose to accept a renomination for the Presidency in 1888?" said last week: "I do not want to be nominated again for any office. Still, I am in this fight, and shall take whatever positions my associates assign to me."

Geronimo has sent word to Gen. Miles that he will meet him at the San Bernardino ranch to arrange terms of surrender.

There are indications of serious trouble at the Cambria Iron Works, in Johnstown, Pa., in which over 8,000 workmen are employed. For some years every employee of the Cambria Iron and Steel Works has been required to sign an agreement to keep aloof from all labor organizations, and under this system the works have been kept in almost continuous operation. Recently emissaries of the Knights of Labor have been enrolling the men, and as fast as the company has discovered this the newly made Knights have been discharged.

The drivers and conductors of the Broadway and the Belt Line horse railroads in this city, who "tied up" those lines last week because of a dissatisfaction about their pay, returned to work again on Friday and Saturday respectively on the company's terms. During the "tie-up" both lines engaged some new men, and the Broadway line ran a few cars under police protection. The strikers assaulted a great many of the men who wanted to take their places, and stoned and overturned some of the cars.

The final contracts for the construction of a bridge across the Hudson at Poughkeepsie were signed on Friday with the Union Bridge Company of New York, and work is to begin at once.

A shock of earthquake was felt at about ten o'clock Tuesday night over a large part of the United States, causing great alarm in many places. It was especially severe in the Southern States. In Richmond, Va., it caused a panic among the inmates of the penitentiary, a large part of whom were negroes. The military were ordered out to prevent an outbreak. In Raleigh, N. C., Columbia, S. C., Savannah, Ga., Jacksonville, Fla., Memphis, Tenn., and in many other places throughout the South, the shock was so severe that people fled panic-stricken from their houses. In Cleveland, O., and in Terre Haute, Ind., audiences in the theatres became panic-stricken and rushed out of doors. The shock was plainly felt in this city and in all the suburbs. The shock was most severe at the city of Charleston, S. C. Several lives were lost and a number of people injured. Property was badly damaged.

Gov. Hill on Wednesday approved the removal by Mayor Grace of Rollin M. Squire as Commissioner of Public Works of this city, and the Mayor has appointed in his stead Gen. John Newton, Chief of Engineers in the United States Army, who, to accept the position, has been placed on the retired list.

The Surrogate of this city has admitted to probate the will of Jesse Hoyt, which has been the subject of a noted contest. His estate is valued at from $6,000,000 to $8,000,000.

As a result of the late yacht races in this harbor, the *Mayflower* has been selected to compete with the *Galatea* for the *America's* cup. The races will be sailed on September 7 and 9 with a deciding race, if necessary, on September 11.

Thomas E. Benedict, Deputy State Comptroller and former editor of the Ellenville (N. Y.) *Press*, has accepted the position of Public Printer at Washington.

Dr. Oliver Wendell Holmes arrived in this city from Europe on Sunday.

Gen. S. C. Armstrong, of the Hampton (Va.) School, has been very ill. He is improving, but his physicians find that his heart is affected, and have ordered him to take entire rest for two or three months.

The horses attached to a carriage in which Senator William M. Evarts, Mr. Charles C. Perkins of Boston, and Miss Jeannie Matthews, daughter of Judge Stanley Matthews, were riding near Windsor, Vt., ran away on Wednesday evening and the inmates were thrown out. Mr. Perkins was instantly killed, and Mr. Evarts and Miss Matthews received painful but not serious bruises. Mr. Perkins was the author of a number of works upon art which have been greatly praised. His 'Tuscan Sculptors' appeared in 1864, and in 1867 'Italian Sculptors.' In 1878 he published a biographical and critical essay upon 'Raphael and Michael Angelo.' At the time of his death he was engaged upon 'The Cyclopedia of American Art,' which was intended to be an exhaustive treatise on this subject. He was one of the original founders of Music Hall in Boston, was a warm friend and patron of the Handel and Haydn Society, was instrumental in establishing the Art Museum there, and was President of the Art Club for some years.

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The Rev. James C. Beecher of Cos Cob, Conn., brother of the Rev. Henry Ward Beecher, committed suicide at the Water Cure in Elmira on Thursday evening by shooting himself through the head with a small rifle. He had been suffering under severe mental troubles for a number of years. Mr. Beecher was about fifty-nine years old, and was the youngest son of Dr. Lyman Beecher.

Prof. William Cook, formerly instructor in German at Harvard, and more lately a professor at the Institute of Technology in Boston, accidentally shot himself in the knee on Friday at Chatham, Cape Cod, where he was spending the summer with his family, and died that night.

Ex-Judge Rufus Paine Spalding, one of the organizers of the Republican party, died in Cleveland, O., on Sunday, at the age of 88.

Brevet Maj.-Gen. George H. Gordon died suddenly of heart disease at his home in Framingham, Mass., on Monday evening. He entered the army during the war as a volunteer, and was made Colonel of the Second Massachusetts Regiment, and was promoted rapidly for meritorious conduct. He was the author of several well-known works upon military matters, including a complete history of the services of his regiment.

FOREIGN.

The news about events in Bulgaria has been very conflicting. After the deposition Prince Alexander was put on a yacht and was landed at Reni, in the Russian province of Bessarabia, on Wednesday. Thence he proceeded to Lemberg, Austria, where he arrived on Friday. It is stated that the Russians refused to allow him a saloon carriage or servants, and only released him after Emperor William had telegraphed to the Czar. At Lemberg a delegation sent from the army and people to represent to him the situation in Bulgaria, and to invite him back to assume the reins of government, was awaiting him. The Prince arrived at Bucharest on his return last Sunday morning. A Bulgarian deputation, a guard of honor, and a great concourse of people met the Prince upon his arrival at Giurgevo. The river was crowded with vessels. Amid deafening hurrahs and salvos of artillery, Alexander embarked on the same yacht that conveyed him to Reni, and crossed to Rustchuk, where the Metropolitan and other dignitaries awaited him. All the consuls, including the Russian representatives, were present and tendered their congratulations, and M. Stambuloff formally welcomed him in the name of Bulgaria and restored to him the reins of power. The Prince replied that he had confidence in his people, and was prepared to sacrifice his life for their happiness. A body of officers then approached, crowned the Prince, and carried him on their shoulders to the palace, followed by cheering crowds. The Russian Consul at Sofia has been compelled to ask for a guard to protect his house and person. Every window in his house was broken by a mob, and the crowd threatened to castigate him if he showed himself on the streets. The military cadets at Sofia who joined in the revolt were ill-treated by their loyal comrades, and were obliged to flee. The traitor soldiers say that each received twenty rubles, and that they were told that Alexander had entered into a plot to sell Bulgaria to the Turks. Two of the revolutionary leaders, after a trial by court-martial, have been sentenced to death and a third to life imprisonment.

The Porte has received replies from the various Powers to a circular which it issued announcing Prince Alexander's deposition. With the exception of Italy, the different Governments merely note the contents of the circular. Italy in addition recognizes the Porte's right to protest against the illegality of Prince Alexander's deposition. A Cabinet council was held in Paris on Saturday, at which, it is asserted, *pourparlers* were issued to obtain the sense of the Powers on the advisability of holding a new conference for the purpose of restoring order in Bulgaria. Bismarck and M. de Giers, the Russian Foreign Minister, have had a conference. The *Gazette* of St. Petersburg advises Prince Alexander not to resume the government of Bulgaria, as such a step would only result in a second and more decisive overthrow. The publication of reports of military manœuvres at Wilna and Warsaw is forbidden. The newspapers are only allowed to copy the official reports. Turkey has been massing troops on the Rumelian frontier.

The Bulgarian Cabinet has been remodelled, and is now strongly anti-Russian. M. Nachevics, the Foreign Minister, was the leading spirit in the movement to counteract the Zankoff plot by which Prince Alexander was forced to abdicate.

A manifesto has been issued by Prince Alexander at Rustchuk. It approves the measures adopted by the Stambuloff Regency, confirms the existing Ministry and the appointment of Mutkuroff as Commander-in-Chief of the army, thanks the people and the army for their fidelity and resolute attitude in favor of independence, implores God's blessing, and urges all to unite in promoting the welfare of Bulgaria.

In a recent interview M. de Giers said he did not know what the Czar's present intentions were, but he was sure Russia would not occupy Bulgaria while that country was tranquil. Russia's position would be very delicate and critical should Prince Alexander insist upon the execution of the men who led the conspiracy against him. M. de Giers spoke in condemnation of Prince Alexander's course, and, alluding to England's action in the premises, said that she used everything that came within her reach as an instrument against Russia.

Paul Deroulède, the French advocate whose presence in St. Petersburg, agitating a union of Russia and France in a war against "their common enemy, Germany," has created a sensation, has been given another banquet, this time by Russian authors, artists, and journalists. The tendency of all the toasts and speeches was to emphasize what the French lawyer described as "the inborn sympathy between France and Russia," and the "beneficent influence which French and Russian literature and art exercise upon each other."

In the House of Commons on Thursday night Mr. Parnell's amendment to the reply to the Queen's speech was defeated by a vote of 304 to 181. This vote was not unexpected. The principal speeches of the week were made by Mr. Parnell, Mr. Chamberlain, and Mr. Sexton. The speeches of the Irish members were bold but not of an incendiary tendency. The gist of Mr. Parnell's speech was that the people would not be bamboozled into accepting crumbs in the way of harbors of refuge, fishery piers, and artificial attempts to stimulate Irish manufacture in place of their birthright of national self-government. Mr. Sexton said that the Parnellites would counsel Irishmen to stand by each other and not be intimidated by any fear of combinations. They would remind Irishmen that Mr. Gladstone's great effort to promote peace between the two countries was supported by a million and a quarter of Britons, and that the majority against it consisted of votes only, not of men. They would do everything possible in fairness and justice to promote peace, but they could not make themselves traitors to Ireland by asking the people during the coming winter to pauperize themselves in order to furnish arguments to their own ruin. Mr. Chamberlain said: "I am not going to vote for any amendment which would be equivalent to a vote of censure on the Government. I am not going to do anything to turn this Government out so long as the Government which is to take its place is committed to the separatist policy." There was a lively discussion on Thursday night over Gen. Buller's appointment to Kerry. Ex-Attorney-General Russell contended that the policy of the Government was to degrade Ireland to the level of a savage and barbarous country. Sir Michael Hicks-Beach said Gen. Buller was selected because the Government believed that he would act uprightly, constitutionally, justly, and humanely. The appointment was a civil, not a military one. Gen. Buller would possess the powers of a divisional magistrate, enabling him to do everything necessary to repress crime and outrage.

In the House of Commons on Monday night the Radicals supported two amendments to the address, condemning the annexation of Burmah. The amendments were negatived by majorities of 76 and 73 respectively. Mr. Clark Radical, moved that the debate on the address be adjourned. Lord Randolph Churchill opposed the motion, stating that it was not conceived with a view to public advantage, and that the Government desired to express its opinion to that effect. Mr. Illingworth, Liberal, likened Lord Randolph Churchill to Satan reproving sin. A lively scene followed. The House finally divided, with the following result: For adjourning, 122; against adjourning, 197. Lord Randolph Churchill then agreed to adjourn the debate. The Irishmen have decided not to adopt a policy of organized obstruction, but will maintain the discussions on the estimates. Mr. Sexton will move an amendment on the Belfast riots in spite of private appeals from the Government. The Government has decided to abandon the idea of recouping Irish landlords out of the tax-payers' pockets. The policy is energetically opposed in private by Mr. Chamberlain, who virtually directs the Government from behind.

Mr. Gladstone has published a brochure of fifty-eight pages on the Irish question. It reviews the result of the recent election, discusses home rule, concedes that it and the land-purchase scheme can no longer run together, and in conclusion says: "If I am not egregiously wrong in all that has been said, Ireland has now lying before her a broad and even way in which to walk to the consummation of her wishes. Before her eyes is opened that same path of constitutional and peaceful action, of steady, free, and full discussion, which has led England and Scotland to the achievement of all their pacific triumphs."

Gen. Sir Redvers Buller left Dublin on Monday morning for Tralee. In an interview in relation to his duties in County Kerry he said: "I wish to distinctly state that I have not accepted a dragooning mission; nor shall I assist in evictions My task will be simply to repress moonlighters and insure the safety of life and property. I propose to affect this by means of flying patrols, who shall be able to communicate speedily with a regularly organized system of supports. I do not know whether my plan will prove a success, but I mean to do my duty."

The British corvette *Diamond* took possession in the name of the British Crown of the Kermadec Islands, in the South Pacific Ocean, on the 1st of August.

Fifty thousand workmen, Socialists, and idlers met in Trafalgar Square, London, on Sunday, in an orderly manner, and passed resolutions denouncing the tyranny of the police and the action of the authorities in imprisoning the Socialist Williams.

The Trades-Unions' Congress in Paris has adopted resolutions declaring that children under fourteen years of age should not be allowed to work, and demanding that the labor of working women be limited to eight hours daily, with no night work.

Greece was on Friday visited by an earthquake, which proved most disastrous in the Morea, and in which the loss of life reaches 600. Pyrgo and Philiatra, both situated on the western coast of the Morea, and four other towns, were completely destroyed.

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THE CUTTING AFFAIR FROM THE MEXICAN POINT OF VIEW.

ONE of the alleged objects of the mission of Mr. Sedgwick to Mexico is to ascertain whether there had been any change in the legal basis of the prosecution since the first steps were taken. Some insight into this question may be derived from a study of the Mexican press during the period of the agitation. We limit ourselves, of course, to what the Mexican newspapers had to say of the law of the case, though it may be remarked in passing that their general tone was one of dignity, patience, and confidence in their own Government. It will be observed, also, that reference is had to the press of the capital alone.

Cutting was arrested on the 23d of June. Nothing was heard of any resulting trouble until about the 25th of July, when rumors were circulating in the City of Mexico that Secretary Bayard had made a peremptory demand for the release of an American citizen illegally detained. The press at once bristled with inquiries directed to the *Diario Oficial*, asking the facts in the case. That Government journal declined to make any statement at the time, on the ground that the affair was a delicate matter of diplomatic adjustment. In fact, nothing official was made public until August 12, when all the correspondence between the two countries and the authorized report of Cutting's trial and sentence were published. But there are certain journals, with good reason supposed to be very near to the Administration, of which *El Partido Liberal* is the most prominent, and held to be the most directly "inspired." This paper made frequent editorial reference to the international complication, always asserting that the Government was acting within the laws of the country and without any violation of international right. As to the question of fact, it was taken for granted that Cutting was arrested for having published a libel in Texas. Nothing was said at that time about any theory of "continuing offence." As to the question of law, it was thought sufficient to cite article 186 of the Penal Code, asserting extra-territorial jurisdiction under certain conditions realized in the case of Cutting. A similar position was taken on July 30 by *La Patria*, another semi-official paper, which took pains to set forth both the facts and the law of the case, asserting that Secretary Bayard had been deceived by Consul Brigham into acting with precipitation.

On the 7th of August *El Monitor* published a letter written from El Paso four days before by a lawyer of Chihuahua who had gone to the scene of the trial. This letter, it was editorially remarked, "made clear the jurisdiction of the Mexican court in this notorious case." It had but two substantial points. The first was that the trial was to be had before the Judge of Letters instead of before the Alcalde of El Paso, where it originated. This change of hearing was called for by that section of the Penal Code which makes an alcalde incompetent to try a person accused of a crime punishable with a fine of from $300 to $2,000, and imprisonment of from six months to two years. The second material part of the letter set forth that "in instituting this trial, and in justification of the imprisonment, the authorities of the State rely upon article 186 of the Penal Code," etc. Most important of all, as showing the prevailing legal view in Mexico before the trial, is an article which appeared in the law journal *El Foro* of August 6—an article written, according to Secretary Mariscal, "by an intelligent judge of this capital." *El Foro* explicitly renounces the theory of "continuing offence," to enter upon which would, it declares, "engulf ourselves [the figure is its own] in the difficult field of metaphysics." It concedes that no relation whatever exists between the first and second offences, and definitely sets out from "what took place on American territory." It makes no allusion to the circulation of the libel on Mexican soil. Its whole contention is for the extra-territorial jurisdiction which Secretary Bayard denies. First pointing out that all the conditions of article 186 are met in Cutting's case, it argues that the said article "is not a note in discord with the principles of the rights of nations." Showing that the article in question was copied from articles 5 and 7 of the French Criminal Code, it cites the authority of the leading Mexican jurist and commentator, Ortolan, as to the scope of the article, and in support of its harmony with international law it appeals to the opinions of Foelix, Voet, Boehmer, Martens, Saalfeld, and Pinheiro-Ferreira. For the rest, it contents itself with pointing out that Cutting, even supposing the facts were as he supposed, did not select his proper remedy. Instead of renouncing the jurisdiction of the Court, he should have appealed from it, on the issue of competency, to the Supreme Court of the State, whence the question might have gone, if necessary, to the Federal Supreme Court, and have been settled amicably. There is certainly significance in thus finding that the leading legal opinion of Mexico, before the trial, rested the justification of the prosecution of Cutting on the sole ground of extra-territorial jurisdiction.

If we turn now to the official correspondence, first made public in Mexico on the 12th of August, we get the following facts: on July 6 Minister Jackson addressed a note to Secretary Mariscal, stating that he had received an official communication from Consul Brigham to the effect that an American citizen, Cutting, was imprisoned in El Paso, that the quarters assigned him were abominably filthy, and that the Judge refused to release him on bail. The American ambassador also referred to the fact that the arrest was made for an offence committed on American soil, but added that it was not his province to discuss that matter, inasmuch as it had already been called to the attention of his Department of State by Consul Brigham. Secretary Mariscal promptly responds, July 7, saying that the Governor of Chihuahua has been directed to see that Cutting have a speedy trial, and that the discomforts of his situation be relieved. July 19 Mr. Jackson forwards to Secretary Mariscal the demand of Mr. Bayard for the immediate release of Cutting. July 21 Mr. Jackson again writes to Mariscal, saying that he has waited two days without a response, and has meantime heard nothing of the liberation of Cutting. Thereupon the Mexican Secretary responds on the same day, stating that his Government is doing everything possible to secure to Cutting a fair and speedy trial; that it is not possible for the Federal power to interfere with the legal processes of a sovereign State; that this sudden demand of the American Government must have been made at the instance of private persons or a badly informed press; and protesting the desire of his Government to do everything within its lawful power to assure a friendly peace between the two countries. July 27 Minister Romero telegraphs from Washington that information has been asked both in the Senate and House as to the status of the Cutting affair, and that Secretary Bayard, in a private letter to the Mexican Minister, asks if he can announce that his request for the liberation of Cutting is granted or soon will be, and says that in case this is done within a short time, the information will be withheld. July 28 Mariscal telegraphs Romero that the court is proceeding as rapidly as possible in the case of Cutting, and that the result will depend on the legal decision. July 29 Romero replies that he has communicated the foregoing telegram to Secretary Bayard, who seemed much disappointed, and said that he would lay the whole affair before Congress. This was done on August 2, Mr. Bayard stating in his letter of information that he had been shown by Minister Romero a copy of article 186 of the Mexican Code, in support of the Mexican position. It is interesting to note that Señor Romero did this by order of Secretary Mariscal. This is brought out only indirectly in the correspondence and telegrams published by the *Diario Oficial*. It is evident that Secretary Mariscal did not publish all the telegrams sent to his Minister at Washington, for in a letter to Romero, dated August 12, published in the *Diario* the same day, thus reaching the Mexican public (and perhaps a part of the American) before it reached the Mexican Minister, he says, "I take this pains to defend article 186, *to which I called your attention in a telegram as applicable to the case of Cutting*," etc.

Thus it is clear that the position of the Mexican Government, as well as the theory of the prosecution, so far as the Mexican press knew, up to the time of the trial, was an absolute resting on the extra-territorial jurisdiction of the Mexican court. The first indication of any change of view is seen in the telegrams sent to the Mexican press from El Paso during the actual progress of the trial. These telegrams differ in some particulars from those sent at the same time to the American newspapers by the Associated Press. Thus the despatches of the 6th of August hint that new ground is taken by the prosecution, in asserting that the affidavit of Medina set forth that Cutting had failed to comply with the act of reconciliation, and that he had circulated the libel, printed in Texas, on the Mexican side of the river. So on the next day, when sentence was pronounced, Consul Brigham was reported as asking if the sentence meant that the publication of an article in a Texas paper was held to be a violation of the act of reconciliation, and the Judge was reported as replying that the Court so held. By the 12th of August, on the publication of Secretary Mariscal's last letter to

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Minister Romero, together with the full text of the decision of Judge Zubia, the Mexican public was given clearly to see the new ground taken. It is true that both the letter and the decision stoutly stand up for article 186, and the competency of the Mexican court acting under that alone, but at the same time they so develop and magnify the new points as to show that in the last resort dependence would be placed upon them. It is not strange, then, that the Associated Press despatches of August 13 from the City of Mexico say that "the published decision of Judge Zubia is regarded here as putting the case in a new light."

Secretary Mariscal's defence of extra-territorial jurisdiction is an able argument to show that it is in harmony with the laws of almost all countries that have adopted the system of Roman jurisprudence. He admits that it is contrary to the general theory of the common law, though he maintains that it often finds endorsement in the statute legislation of countries that deny the principle of extra-territoriality, citing here a law "proposed" by Livingston for the State of Louisiana, a case before a Pennsylvania court in 1794, and various remarks of Wheaton and Story. But he undertakes this defence of article 186, he says, "not because I judge it indispensable to the jurisdiction of the Mexican courts in this case, for, as you will observe in the decision of the judge which I enclose, the crime committed in Texas by Cutting may be taken, and is fundamentally taken, as a continuation of that committed in El Paso del Norte, where he at once returned to circulate what he had published in El Paso, Texas."

The full text of the decision of Judge Zubia, a long and somewhat rambling document, first makes a prolonged recital of the facts. Nothing new appears here, except an indication of the time when the change of legal ground in the prosecution took place. "On the 22d the offended party enlarged the accusation, setting forth that although the paper, the *Herald*, is published in Texas, Cutting circulated it in great numbers in the interior of the republic." This date, July 22, may have some significance in estimating the effect of Secretary Bayard's demand of July 19. The Judge then proceeds to a discussion of the legal principles involved, in the course of which he shifts his ground once or twice, showing a strong desire to rest the whole case on article 186, but finally concluding that the "continuing offence" theory is safer; decides that, under the dictum, "*ratihabitio retrotrahitur ad initium*," Cutting is on trial for the original libel; and passes sentence accordingly.

Happily the whole affair seems now to be relegated to the slow and harmless interchange of diplomatic notes. We presume that even Secretary Bayard no longer doubts that Cutting was finally condemned, whatever may have been the first thought of the Mexican authorities, under a legal decision which cannot be questioned. Meanwhile, if he can, by especial embassy or otherwise, induce Mexico to expunge from her Code the obnoxious article 186, it may be an excellent thing to do, but it will be a thing which is not likely either to prevent or provoke a war.

THE ANARCHIST DISEASE.

At the Anarchist meeting held on Tuesday week at Cleveland, one Christ Saam is reported as saying that the "reigning class," having declared war (by the Chicago verdict), should have war to the knife; that the struggle would continue until the great Anarchist revolution should sweep away all law and dictation; and that the Constitution as now regarded is not worth the paper on which it is written. A Mr. Ohlsen followed, declaring that "what had occurred in Chicago was liable to take place in Cleveland and other cities." Thereupon a committee of nine (one eleventh of the whole meeting), was appointed to "demand of the Mayor the right to use the public square for a mass meeting of working people" to protest against the conviction of the Chicago conspirators. The Mayor promptly denied the request. There are, therefore, fully 100 persons in Cleveland who profess to believe that murder, if committed in the name of anarchy, ought not to be punished by law. A like number also profess to believe that a meeting to defend and advocate murder can properly be called in a public square as a "mass meeting of working people." What is the exact relation in which such agitators as those at Cleveland stand to the epidemic of strikes which has prevailed throughout the country for a year past? To what extent are they the consequence of the strikes, and to what extent are they the cause?

It is worthy of note that the past year has not been one of physical distress among wage-workers, nor of extended or general loss of employment, nor of exceptionally low wages. The wage-workers and Socialists themselves in their meetings do not attribute their agitation and strikes to their reduced wages and long hours, but to their great and sudden increase of late in economic intelligence. They say that their class have worked heretofore at the dictation of employers because they thought they were obliged to, but lately they have discovered the means whereby labor can dictate to capital, and make it crouch and turn pale. It is in this experiment of making capital "crouch and turn pale" that strikes are frequently instituted. At the centre and core of every such strike can be found not physical distress, not starving babies, nor evicted tenants, nor public soup-houses to feed the famishing able-bodied men lying on their bellies to "wear out their hunger," not processions of the unemployed, as was seen in Ireland in the famine of 1846 and in New York city after the panic of 1857, but only comfortably dressed and well-fed people, with plenty of beer, fully employed, many of them with deposits in savings banks, children at school, reading weekly three or four Socialist newspapers, and ranging themselves under the lead of some prophet of the new dispensation like Martin Irons, who, by what is called the "organization of labor," is enabled to order out of work into idleness and out of comfort into starvation 5,000 men whom he never saw and who never saw him, to whom he never paid a dollar of wages, who did not claim to have a grievance, but on whose behalf he sought to bring on a supposed great social revolution. The only scenes of physical distress which have characterized all these strikes have been those which followed the strikes, not preceded them. Both the Third Avenue and the Missouri Pacific strikes were begun with loud trumpetings of the cash in the treasury with which to pay the strikers as good wages for lying idle as they could earn by being at work.

Remark also that the year of uncalled-for strikes was preceded by a year of unprecedented shrinkage of capital, in which hundreds of millions of dollars of supposed value disappeared from the great corporate stocks of the companies in the United States which employ most labor—all without one cent of direct loss to the laborers themselves, and without any suspension of employment. They kept on at full work and fair wages for the "black year," notwithstanding their wages were, in fact, often paid out of capital and not out of earnings. This, at least, was a gain which they could not have made had the heavy enterprises of the country all been in the hands of men of small capital and perhaps in debt, who would have been thrown into bankruptcy by the great shrinkage. Doubtless in some quarters such a year would naturally be followed by efforts at retrenchment on the part of managers. Yet it is the concurrent testimony of wage-workers themselves and of all observers, that, except where strikes interrupt labor, employment has seldom been so general and steady as it now is, that wages average as high as two years ago, and are made higher effectively by the cheaper prices of commodities.

The salient feature of the striking epidemic is, therefore, that it is caused by the mental mood of the wage-workers, and not by any other grievance than the fact that they do not themselves own the capital which hires them, but have worked themselves into the belief that they ought to own it. As the British Parliament have undertaken to divide the title to land into two titles—a landlord's title and a tenant's title—so the Socialist theory is that by prolonged agitation American legislators and political parties can be constrained into splitting the title to personal property (capital) in two, and making the wage-workers the managers of all enterprises, allowing the capitalists to be retired on a sort of *per diem*, as the princes of India were retired by the East India Company. This vagary marks the present epidemic, not as a period of social distress, of which there is very little indeed; but as a period of mental craze, like that which would in earlier times have attended the general belief that the philosopher's stone was about to be discovered, or that the new Jerusalem, with gates of pearl and golden streets, was about to be let down from heaven by its four corners.

ANOTHER VIEW OF THE HEIDELBERG FESTIVAL.

Heidelberg, August 7.

Heidelberg, although it now yields to several other rivals, and notably to Berlin, Leipzig, and Munich, both in the number of its students and the brilliancy of its professorial staff, has played a great part in German history. In the latter half of the sixteenth century it was the chief seat of Calvinistic theology. In the middle of the nineteenth, from 1815 down till 1866, it exercised no small influence on the intellectual or

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ideal side of the movement for the unification of Germany as well as for the winning of political freedom. At most times it has possessed a considerable number of eminent teachers, and some of these, such as Puffendorf in the seventeenth century, Gervinus, Häusser, and Bluntschli in our own time, have filled a place in political as well as in literary history. Add to this that being placed in a comparatively small city, whose population is even now only twenty-six thousand, its student life has permeated the place more completely, and made it more distinctively a university town, than could happen in a large centre of population such as Berlin, Leipzig, or Vienna. All these features, not to speak of its picturesque situation, on which the romantic Germans set much store, have enabled Heidelberg to command a sympathy from the world at large as well as from the German nation such as few other European universities enjoy.

That tendency to overdo everything which the stranger frequently observes in Germany, showed itself in the arrangements for the quincentenary celebration. It lasted a whole week from Monday forenoon till Saturday night, too long a time to keep the stream of sentiment flowing. The programme included not only a religious service, a solemn reception of deputations from other universities, and a banquet, but also an anniversary discourse, a conferring of honorary degrees, a gigantic Commers or student's drinking bout, a reception at Karlsruhe, the capital of Baden, by the Grand Duke, and an "Historical Procession," of which more anon. The Germans, with characteristic thoroughness, went right through the whole of this programme with apparent satisfaction; and the foreign visitors, feeling that the like was expected from them, did the same, albeit somewhat fatigued by having to attend to so much said and done in a strange language. They felt, however, that the ceremony would have gained by concentration, and that they would have derived more enjoyment from opportunities of easy intercourse with the eminent persons assembled than they did from the official receptions and discourses.

These foreign visitors were, however, very few in number compared with the Germans—chiefly, of course, professors who flocked from the other universities; and the festival altogether wore much more of a national than of an international character. Italy, France, England, and America were scantily represented, and still more scanty was the public recognition bestowed upon their representatives. Privately they were entertained with cordial hospitality, but, considering the distance from which they came and the compliment which their presence as delegates from the other great nations of the world conveyed to Heidelberg, it was surprising that a larger measure of official courtesy was not extended to them. The impression which the gathering of German guests made on a foreigner was very striking. All the learning of the country seemed to be gathered under one roof at the banquet—the great hall crowded with faces full of vast knowledge and keen intelligence, bearing names some of them famous everywhere, the rest well known at least to special students of the various branches of inquiry which universities pursue. England and America put together could hardly have furnished forth such a mass of learning as this one dining-hall contained. Yet those present were not a tithe of the whole professoriate of Germany; and some of the best-known names, such as Döllinger, Kirchhoff, Hoffmann, K. Maurer, Haeckel, Von Sybel, Dahn, Wellhausen, Pfleiderer, Von Holst, were not among the guests. Among the different subjects, law was perhaps the most largely represented; for law has long been a department in which Heidelberg shone, and during the time when Vangerow lectured (from 1854 till 1870) it was a nursery of jurists who have now scattered themselves over the other universities. No jurist, however, was an object of so much interest as the veteran Mommsen, who, though he once lectured on law, has obtained far greater fame as the historian of Rome and the editor of the 'Corpus Inscriptionum.' His aquiline nose, keen eyes, and lithe, quick-moving figure, darting like a firefly through the groups of guests, drew the attention of Germans as well as foreigners, who saw in his activity hopes for an old age scarcely less productive than Ranke's.

The most novel and prettiest thing in the whole festival was the historical procession, which set forth, by groups of figures dressed in the costume of their respective periods, seven epochs in the history of the University and city. It filed slowly through the streets, taking twenty minutes to pass, and was witnessed by a crowd of strangers which must have reached eighty thousand. Of the other parts of the programme, those most suggestive to foreign eyes were the students' Commers and the banquet at which the Grand Duke presided. Persons who have themselves not been at a German university are astonished to observe the importance attached to what they regard as a mere drinking bout, at which gallons of beer are consumed, sentimental songs in praise of wine and love are sung, and a mummery of crossing swords and rattling down mugs and glasses upon the table is religiously gone through. But his student life is really the one wild, romantic, reckless, poetical period of a German's life, after he escapes from the rigid thraldom of school, and before the scarcely less heavy yoke of conventional observance and monotonous duty is laid on him by his professional position and the rules of decorum which it prescribes. An American or an Englishman is all his life so much freer, in the sense of being so much more able to please himself in the way of life he leads, as well as in the sense of having less interference from state authority to fear, that he does not feel this exuberant delight in the college years, and remembers them more as the years of intellectual growth, or of the forming of friendships, or simply of enjoyment careless of the future, than as being specifically the years of freedom and romance. To explain why the freedom and romance of German student life connect themselves so closely with wine and beer, though this needs much explanation for the other branches of the Teutonic family, would lead me too far from the present theme, which is to remark on the importance attached to this lighter side of student life, to which neither the English nor the American universities present a complete parallel, and to which those of Italy and Scotland (in some respects the most truly mediæval) have apparently no parallel at all. One is tempted to think that the political tendencies of the German university *Verbindungen* or students' clubs, which were important during the times of absolutism after 1815, may have something to do with the sympathy now shown for them by those who rejoice in the progress made towards liberty and unity.

In the speeches made at this students' night festival, which was attended by the Grand Duke and all the eminent guests, and still more in the speeches delivered at the great banquet—speeches commendably short, clear, and direct—much less was said about the University of Heidelberg, about universities in general, about learning, science, and education, than the foreign visitors expected. They came expecting a festival of learning and they found a demonstration of patriotism. The main theme of all the addresses was German unity, German national strength, German military glory. Fifteen years have passed since the triumphant campaign which left France prostrate and restored Alsace-Lorraine to the conquerors; but the whole struggle was as fresh, as supremely important to the minds of these learned festival-keepers, as if they were on the morrow of victory. Not that the speeches breathed war, or implied the probability of its renewal; so far as they expressly referred to the future, those of the Grand Duke and the Crown Prince were pacific in tone; indeed, the only exception to this good feeling was to be found in some words of the Pro-rector Prof. Becker, which were calculated to give offence to the French visitors. But the intellectual achievements of Germany—achievements that might have been so appropriately commemorated on this occasion; achievements which Englishmen and Americans, Frenchmen and Italians, Scandinavians and Flemings, came prepared to applaud—did not seem to be uppermost in the mind of the German throng. Whatever a speaker began to speak about, he was sure to come round to the reëstablished German empire and the grandeur of the reunited German people.

When one thinks of the causes of this, it is natural enough. Men who have seen that accomplished which was the dream of their youth; men of the younger generation who have actually fought, as did many of these professors, in the campaigns of 1866 and 1870, and wear the Iron Cross upon their breasts; men who expect to be engaged, before a few seasons have passed, in another and perhaps more desperate struggle against France and Russia, cannot help putting war and politics first in their mind. Perhaps this tells against the intellectual life of the nation, making that life less ideal, because the strength of the State so largely depends on its material resources, and turning the ambition of the people into a political rather than an artistic or literary or scientific channel. Some of the older men may be heard to deplore the ultra-practical tendencies of the new generation. Certainly the passion for the greatness of the empire has tended to strengthen monarchy and the monarchical principle, and to weaken the desire for the development of constitutional freedom. What with the fear of France and Russia on the one side and the fear of socialism and anarchism on the other, the Germans seem less disposed now than ever before within living memory to move towards that democratic republicanism which used to appear the natural goal of civilized peoples. The old Emperor William is a popular hero such as America has not seen since Gen. Washington, and England never at all. The Crown Prince and Bismarck come not far behind; the imperial dynasty and its ministers are, in fact, practically omnipotent, and will be supported in any action they may take. In Baden this loyalty to the head of the empire is seconded by a warm attachment to the Grand Duke and Duchess, who, it must in fairness be said, seem to have well deserved it by their popular sympathies, their interest in the University, and the singular simplicity and courtesy of their manners. They sat smiling and apparently unwearied through the most tedious ceremonies, and moved with natural grace and unaffected friendliness among their guests. To one who remembers the distractions of Germany twenty years ago, the present harmony of sentiment, the conviction of every German you talk with that the unity of the nation, the permanence of the empire, are perfectly assured against all local jealousies of particular States or races, is very impressive. Whatever may be the results in the moral and intellectual life of the people, this unity of government and harmony of sentiment are of good augury for the peace of the European Continent, which it lies in the hands of Germany to maintain.

O. D.

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AMONG THE TUSCAN HILLS.

CAPRAIA, August 12.

JUST twenty years ago, when Florence was the capital of Italy and the centre of all the preparations for the war against Austria, we accepted an invitation to take a holiday among the hills, and, reaching Prato by rail, partly in a ramshackle trap and partly on mules and on foot, wound our way through chestnut forests and olive groves, past the brick-kilns, up to the hermitage of Capraia. Our host was Giuseppe Mazzoni, one of the most audacious and inveterate conspirators who kept alive the sacred flame of patriotism in Tuscany. Expelled from the college at Pisa, where he had organized the boys "to run away and fight for Greece," his spiritual director prophesied that he would finish in the galleys, and it was not his fault or that of the Grand Duke's that he did not. Triumvirate with Montanelli and Guerrazzi in 1849, he was the only one who voted for the union of Tuscany with Rome, and, when both Rome and Florence fell, went out into exile which lasted for ten long years. On his return he became the natural leader of the Liberals, and opposed the unqualified annexation of Tuscany to Piedmont, insisting on the necessity of a constituant assembly. Capraia was the resort of all the ultras, none of whom, says Mazzoni's daughter, our present hostess, ever agreed among themselves. "We had kept some wine of a splendid vintage for his return; and when it was coming to an end I said none of the last six flasks should be put on the table until three of the company should agree on one single point. No such attempt being made, the flasks remained intact, and when, years after, we opened them, the wine had lost all its color and much of its aroma." (This, by the way, confirms a general opinion that Tuscan wine is not the better for old age.) In late years, yielding to the pressure of his friends, Mazzoni consented to stand for Prato, sat at the extreme Left, and died in 1880 Senator of the Realm, Grand Maestro of the Free Masons. He was one of the first Tuscans cremated, the urn containing his ashes now reposing in the Grand Masonic colombario in Rome.

Leaving Florence yesterday, whose white heated walls render a summer sojourn there intolerable, through Prato, roused from its dull torpor to greet Felice Cavallotti, whose "Daughter of Jeptha" is creating a great sensation on the Italian stage, we wound our way up the old hills, and found at the brick-kilns of Capraia the old net-bottomed cart and aged mule—perhaps the same of twenty years ago. Save that the old hermitage has been modernized and embellished, that the ilex grove is heavier with shadow, and the magnificent magnolia resembles a forest oak, that the new terrace embraces the wide expanse from forest top to horizon—the olive groves interlacing on either side, and the chestnut forests interbranching, yet leaving space for the vision of the villages, the spires, and the belfry towers sleeping in the quiet plain—nothing has changed, and the monotony has a strange fascination as compared with the newness, the variety, and alterations that have transformed the country and the provinces around. You find the same peasants grown older in the fourteen *poderi* into which the property is divided, the same wine presses, oil presses, and pre-adamite system of extracting the juice and the oil from the one and the other. And why should you wish for change, seeing that no such oil and no such wine can be obtained by common mortals elsewhere? For the old métayer system, which John Stuart Mill believed would half solve the social question, still exists intact throughout Tuscany, and nowhere do you find healthier peasantry or better cultivated soil. The relations between the proprietor and the peasants are not as yet even strained, though the former, when you enlarge on the merits of the system, at once show you all its defects, from which, from their point of view, they are the only sufferers.

Before coming up here I spent a day or so at Antella, some two hours' drive from Florence, where wine in abundance, scant grain, and scantier maize are the staple produce, the *poderi* are in excellent condition, and the peasants seem hardworking, healthy, and decidedly attached to the family. Here are the terms of Antella: Land and all capital necessary for stock and implements, excepting hand tools such as spades and hoes, are supplied by the proprietor, who pays a specified indemnity every year for the repairs of carts, etc., but in some cases they are repaired by the proprietor. All crops and proceeds of any kind are halved as well as the expenses for the cultivation, extra manures, forage, etc. All new plantations are laid out at the expense of the proprietor, with the exception of a specified number of new trenches for vineyards, and on him fall all the taxes except the family tax. The only exception to the exact division is in the oil, where the proprietor has the right to the so-called *conii*, viz., about three per cent. of the crop, to compensate the wear and tear of the machinery used in oil pressing. The contract runs from year to year; the peasant can go or be sent away, giving notice in November, but has a right to his share of all standing and sown crops. Curiously enough, there is no law regulating these contracts: all goes by precedent. My host of Antella does not regard land as a lucrative investment as a whole, and dwells upon the drawback that the system gives no incentive for spending capital on improvements, because the spender has half the proceeds and all the expense. Then the peasant shows utter indifference, nay, prejudice, to any innovations, prefers to toil with his own spade to using new small ploughshares, and declines to try any new system of vinification. To tell the truth, when at supper this year's vintage was tasted, in our hearts we sided with the peasants. The system is very simple. The grapes are never gathered until quite ripe; then the choicest bunches are laid out on mats or reed trays—where mulberry trees and hence silkworms form part of the culture. After the grapes, well trodden in the vine-press, have been transferred to the vats, they are left to ferment from fifteen to seventeen days; then the wine, if quite bright and clear, is run off into smaller casks, and now the finest bunches of grapes, almost become raisins, are pressed, and when clarified the casks are filled up to the brim with their juice. This is called "governing" the wine, a system adopted only in Tuscany, but with most recommendable results. Certainly such full-flavored, ruby-colored, and by no means heady wine cannot be obtained at the price of from fourpence to sixpence a litre anywhere out of Tuscany. The peasants sell a portion of their share, but also keep some for home consumption; they have money in the savings bank and very many of them in consols; the passion for having a bit of ground of their own is here not nearly so intense as elsewhere. About Pistoja the contracts differ little, only the peasant pays a few dozen eggs and pairs of fowls and capons, so many pounds of pork, faggots; and the women folk do the washing for the house. On the whole, the system seems to us to insure the greatest possible health and thrift to the greatest possible number.

A noted Liberal and philanthropist, who, besides vast commercial undertakings, has invested a considerable portion of his wealth in land lying between Leghorn and Florence, writes:

"Setting aside all discussion as to the relative excellence of large or small farms, it is certain that the Tuscan *mezzoria* is a perfect social contract between the owner and the tiller of the soil. The landlord brings into the society the land, the stock, the implements; anticipates the necessary sums; pays the taxes. The peasant brings his arms, his diligence, his ability. At the end of the year the entire produce is divided. It seems to me that no socialist, however exacting, can ask for more. Labor, as you see, by this combination is held to be an absolute equivalent for capital; hence, taken as a whole, you find our peasants in comfortable circumstances. Attached to the soil they cultivate, of which they consider themselves as much the owners as the landlord, they show no desire to change their condition—so little so that, despite the causes of discontent which an improvident Government sows broadcast, despite the propaganda of the socialists and the anarchists, our *campagne* are quiet, flourishing, and secure."

In support of this testimony, I may add that emigration, which increases at a fearful rate in Calabria and other southern provinces, and also in the rich Lombard plains, scarcely exists at all in Tuscany. Despite the one-year contract, which at first sight seems absurd, the land scarcely ever changes hands, but passes from father to son through endless generations, just as on the old feudal lands of Venetia. Here in fourteen *poderi* or farms there have been but three changes in the last twenty years. In one case, the sons taking to themselves wives, and too many for one, there was no second farm to give to them; in another case, the children, being all girls, married peasants on an adjacent estate. The houses are decent and the water good; all the peasants' houses on this estate have glass in the windows, thanks to the constant visits paid to Capraia by Dr. Agostino Bertani, to whose intelligent patriotism is owing the inquiry into the agricultural conditions of Italy (which are in general deplorable), and any attempts made to ameliorate the wretched state of the non-Tuscan peasantry. But he, too, looked his last, in the spring of 1885, on these houses whose peasant inmates knew and loved him well, on his favorite ilex grove and olive-shadowed nooks of rest; and long will it be, I fear, before the tillers of the soil will find such another heart and head devoted to their interests, moral as well as material.

As I write, Carlo, the factotum of the family, who tells you in purest Tuscan and oldest terms as to weights, measures, names of implements, and methods of cultivation all you wish to know, brings up the post-bag. What news? Oh, none! only that Maroncelli has been brought back, after his forty years' sleep in Brooklyn churchyard, to a more glorious repose in the Pantheon of his native Forli. How the name recalls that most pathetic story of one's childhood, of the prisoners shut up in that terrible fortress of the Spielberg, on a hill in Moravia, a plan of the cells being kept by the cruel Emperor of Austria, a number indicating the name of the prisoner or prisoners in each cell; how without the Emperor's permission No. 1 could not be removed to the infirmary, though supposed to be dying; nor No. 2 put under constraint, though he had shown evident symptoms of madness; nor a wig of dog's hair be given to No. 3; nor poor Maroncelli's leg be cut off, though it was feared gangrene would set in. How simply Silvio Pellico tells the story of the amputation "after the order did come. Maroncelli was seated at the edge of the bed, with his legs hanging down, and I put my arms round him. Above the knee a string was tied to show where it was to be amputated. The old surgeon cut all round about half an inch deep, then turned back the skin and cut through the muscles; the blood flowed in torrents from the arteries, but he tied these up with a silken thread and then sawed through the bone. Maroncelli never uttered a cry; he gave a look of compassion to the severed leg, and bid me bring a rose from a glass in the window. 'I have nothing else to give you for freeing me from an enemy,' he said to the old surgeon, who took the rose and cried." Even

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when liberated, Italy was no safe resting-place for the poor cripple, so he made his home in the New World. The *monumentomania* prevalent in Italy suggested the claim for his ashes; but if Maroncelli and the other martyrs of the Spielberg could reawaken and speak their minds, I doubt me much they would say one and all, This is not the Italy that we conspired and suffered and died for: leave us in peace—

"Finchè il danno e la vergogna dura."

Another batch of socialists, after an entire year's detention, have been tried and—all acquitted.

J. W. M.

Correspondence.

ENGLISH TURF MONUMENTS.

To the Editor of The Nation:

Sir: A recent number of your paper has just been forwarded to me, by which I see that you have honored a so-far-distant foreigner with a favorable notice of a recent book of mine upon certain ancient turf monuments of the west of England. It occurs to me to trouble you with a line to correct a misprint (following one of my own printer's which unluckily escaped revision) which may possibly perplex some American antiquarian, if any such should jot down among his *visenda* in this country the Giant of Corne. The name ought to be "Cerne," which is a small Dorsetshire town, about three miles from the Maiden Newton station on the S. W. Railway.

I do not know whether you will care to insert a correction which will reach you so late; but if by chance you do, may I take advantage of the opportunity to offer whatever help I may be able to afford to any American archæologist who may be visiting our North Wiltshire monuments of antiquity?—I am, sir, your obedient servant,

W. C. Plenderleath,
Hon. Local Sec. Wiltshire Archæological Society.

Cherhill Rectory, Calne, Wilts, August 19, 1886.

MR. TILDEN'S BEQUEST.

To the Editor of The Nation:

Sir: Allow me to submit the propriety of your suggesting publicly to the trustees of the Tilden Library fund the establishment of a library for the use of scholars and literary men throughout the country. It seems to me (if the terms of the will allow) such a library, open to all writers and students with proper limitations and credit, would more admirably express the design of this munificent bequest. It would be a more fitting memorial to the national career of Mr. Tilden, and the contribution it would make towards accuracy and breadth in our literary, political, and scientific productions would be invaluable.

Very truly, Thos. P. Ballard.

Columbus, Ohio, August 27, 1886.

[We do not quite make out whether our correspondent has in mind a national *circulating* library or not. Nearly all our great libraries are now accessible to "scholars and literary men" who visit them.—Ed. Nation.]

WORK FOR PAUPERS AND CONVICTS.

To the Editor of The Nation:

Sir: There are two armies in our State, standing in close relation to each other, which are suffering moral death within themselves and dealing economic ruin to the people. One army is formed of those persons who by their bad passions are compelled to live in prisons; the other is made up of their neglected parents, wives, and children, who are supported in institutions, schools, and hospitals. Many methods for solving the problem of employment for these wasting armies have probably been considered, yet it is not a problem impossible to solve. The moment has arrived when the overcrowding of institutions and prisons urges us at least to lay plans in order to prevent, if possible, further waste and destruction.

Perhaps a suggestion for the future may be found in the following experience. During the past winter in Boston it was necessary to limit the rate of taxation and reduce the appropriation for street-cleaning. Suddenly there was an unusual snowfall, followed by a thaw, and there was no money to relieve the highways. Everywhere the gutters were like flowing rivers, the streets like morasses. The people cried out in their discomfort; the contractor was at his wits' end. At the very same moment there were men at the Wayfarers' Lodge who were employed in piling up wood and throwing it down again to be repiled, because that was the only plan which could be thought of for keeping them occupied; and the men in the Charlestown State Prison were one-half idle and one-half at work upon contracts for labor which belonged properly to honest laborers outside. Perhaps if the Charlestown men had been worked in chain-gangs on the streets, the public could have traversed the highways without loss of time or money, and the men themselves would have felt the benefit of wholesome labor; at the same time paupers in the Wayfarers' Lodge and elsewhere might have been given the contract work which employers were striving to get done at "prison prices."

Why should not the criminal classes, so far as practicable, be made to maintain themselves and the pauper classes? Why should not unemployed pauper women and children make the clothes used in institutions, besides performing inside labor of the kinds unsuited to men? Money would thus be set free which would return to benefit the honest laborer in a thousand ways which we hardly dare to anticipate and can only suggest.

Apart from the moral deterioration into which we are falling by the present plan of releasing drinking men and others from the support of children and old persons, we are pursuing a method which is really impoverishing the State, because the size of these unhappy armies is daily increasing. We are pulling down barns to build greater, without even the mean excuse of hoarding this world's goods. We are heaping up destruction instead of creating a new moral force, a force which is really waiting to be born under the ribs of death. Annie Fields.

Boston, August, 1886.

VALUE OF THE SILVER DOLLAR.

To the Editor of The Nation:

Sir: Will you be so kind as to answer, either by letter or in the columns of your paper, the following question:

What is the value in London of one hundred silver dollars, United States currency? Please give the value in gold, United States currency; also in gold, English currency.

The foregoing may seem to be an almost puerile question, but upon the answer to it hinges an argument thought to be of some weight in this part of the country, and I wanted to get an answer from an authority of some weight.

A Subscriber.

South Carolina, August 24, 1886.

[The *bullion* value of one hundred silver dollars is now approximately seventy-one dollars in gold, which is the equivalent of fourteen pounds twelve shillings English money. The value of American silver dollars in London *for purposes of trade*, if there were any such dollars there, would be the same as their trade value in New York minus the cost of transportation, which for so small a sum as one hundred dollars would be practically nothing. The trade value of the silver dollar is at present the same as that of the gold dollar, or of the greenback dollar, or the national-bank dollar.—Ed. Nation.]

INDEPENDENT SCHOLARSHIP.

To the Editor of The Nation:

Sir: Those who have read Dr. Freeman's latest work, 'Methods of Historical Study,' have "surely" (to use his favorite qualifier) been impressed by a book so breezy, so stimulating, so suggestive. To one point touched upon by the great English historian, an American pedagogue would like to add the weight and emphasis imparted to anything by an appearance in the *Nation*. Dr. Freeman says:

"I spoke some time back of the fashionable idolatry of the last German book. . . . Now it is a fact, a fact that we may perhaps set down among 'things not generally known,' but still a fact, that the last German book is sometimes not equal to the German book that went before it, sometimes—may I dare to say it?—not equal to some English book that went before either. Yet we cannot afford to cast aside either the last German book or the German book last before that. . . . We must read the German books. . . . I only demand the right to keep our independence, and to believe that on many matters of historical learning, an Englishman—an Englishman on either side of ocean—is better fitted to judge than a German" (pp. 288-289).

In behalf of American scholarship I should like to enter a protest against *our* lack of independence. For many years I have deemed it strange that our best scholars should be content to follow so very closely in the tracks of the German masters. If a play of Sophocles is to be edited, the introduction will likely be adapted from Schneidewin. If a new series of college text-books is to be edited, it will probably be based on the latest German works, the notes being to a large extent translations of the German notes. Of course we must have and must closely study the great Germans; but is it necessary to copy them so closely? A teacher of Greek myself, I have often wondered why the translation of Curtius's 'Schulgrammatik' should be used in preference to our American grammars. Curtius's treatment of some important matters in the syntax is "surely" much inferior to what can be given by many an American scholar.—Respectfully,

Dummkopf.

KOLONAI.

To the Editor of The Nation:

Sir: The June number of the *American Journal of Archæology* (Baltimore) contains a most interesting paper on "A Proto-Ionic capital from the site of Neandreia" (Mount Chigri), by Mr. Joseph Thacher Clarke, of the Assos Expedition. Mr. Clarke mentions, incidentally, the ancient Kolonai, and quotes from the *Journal of the Archæological Institute* (London, 1860), "On the site and remains of Colonoe," by F. Calvert. He remarks he does not share in the opinion I express of placing Kolonai at Beshik Tépé, three miles to the *north* of Alexandria Troas. As there is no Beshik Tépé in the position indicated, it is evident a typographical error has been made (I have not the number of the *Journal* to refer to). My intention was to write the word *south*, not *north*. There is another Beshik Tépé (which gives its name to Beshika Bay) ten miles to the north of Alexandria Troas, excavated by Dr.

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Schliemann in 1879. This site is too far removed to enter on the subject of the argument in question.

I may add, Mr. Clarke, in his map of the district, places Kolonai where I hold it to be, that is, on the coast and on the left bank of the small stream that comes from the hot springs (Lidgia) of Alexandria Troas, corresponding to the ancient site on Beshik Tépé, three miles to the south of Alexandria Troas. It is here my excavations of the ancient tombs, described in the article on Kolonai, were made.

I am glad to be in unison with Mr. Clarke, the more so as he has so successfully proved the suggestion of the identity of ancient Neandreia with Mount Chigri, first made by me in my paper "On the site and remains of Cebrēne" (London, 1865).

FRANK CALVERT.

DARDANELLES, August 12, 1886.

THE TOMBS OF MYCENÆ.

TO THE EDITOR OF THE NATION:

SIR: I hardly hoped that Mr. Stillman would allow his views on the age of the tombs of Mycenæ to be affected by what I wrote in No. 1097 of the *Nation*. Indeed, I expressly disclaimed all intention of discussing the age of any stone wall with so accomplished an expert as Mr. Stillman, "provided the facts were beyond question." My position is simply this. There is a dispute about the age of certain walls discovered at Mycenæ by Dr. Schliemann. Most of those whose opinions on such matters I respect, believe that these walls were originally built in the heroic age, not later than the Trojan War. Others, of whom Mr. Stillman is chief, believe that they were built about a thousand years later. Now I was told by a Greek workman at Mycenæ in 1883 that many important parts of these walls had been rebuilt *under his own direction* in 1878 or 1879. It seemed and it still seems to me that this statement was an important fact in the case, whatever might be the final decision on the case itself. And where experts disagreed so broadly, it seemed to me that at least some unprejudiced people, who cannot judge of the age of a stone wall by its looks, might find help in this direction.

But Mr. Stillman now tells us that certain "facts *are* beyond question." One of these facts is this: that the outer wall which sustains the tombs "has been in part demolished and restored to its original condition *with the original material*, and is now in the same state as that in which it was originally found." This may be true, but it is not "beyond question." At the meeting of the Hellenic Society in London, July 2, Dr. Schliemann said of these walls: "Their conglomerate character, including fragments of true Hellenic building, was fully accounted for by the fact that they were *not yet ten years old*, having been rebuilt by the Greek Archæological Society in 1878, from materials lying on the spot, in order to consolidate the terrace of the tombs" (*Athenæum*, July 10, 1886). Dr. Dörpfeld, in a recent letter to the *Times*, says: "*Almost the whole* masonry of the tumulus was restored some years ago, out of the old materials, by the Greek Archæological Society, in order to give a better support to the tombs; and yet your correspondent [Mr. Stillman] has ascertained from this masonry that it was constructed by a barbarian tribe at a period subsequent to Pyrrhus." I have referred in my former letter to the split stones with fresh surfaces seen by me in a wall at Mycenæ, which I was told "had been replaced exactly as it was found," and to my informant's explanation that he sometimes had to break the larger stones so as to handle them! Mr. Stillman now thinks that none of the restored walls are of any account in the discussion; and he apparently relies chiefly on certain old house-walls between the base of the tumulus and the great city-wall, which he holds to be "long posterior to the ancient city" and "clearly anterior to the tumulus." This is another of the "facts beyond question," and it may be so at some future time; but at present it is most vigorously questioned by Dr. Dörpfeld, who denies that these walls were house-walls at all, and thinks they were covered with earth in ancient times. Of course we do not know what reply Dr. Dörpfeld may make to Mr. Stillman's more recent argument on this subject.

I have merely attempted to say enough concerning the present state of this discussion to show that the testimony of my Greek informant, whatever may be the ultimate judgment on its value, is just now by no means irrelevant to the case.

W. W. GOODWIN.

PLYMOUTH, MASS., August 28, 1886.

Notes.

PORTER & COATES will bring out, in a volume separate from the Comte de Paris's great work on the civil war, the episode of Gettysburg, edited by Col. J. P. Nicholson. It will include the most complete rosters yet published of the opposing armies. Maps will, of course, be added.

One of Hauff's tales, 'Das Kalte Herz,' edited with English notes by W. H. van der Smissen, lecturer on German in University College, Toronto, will be issued by D. C. Heath & Co., Boston, on September 10.

Cassell & Co. publish immediately 'John Parmelee's Curse,' rewritten by Julian Hawthorne.

'Dollars or Sense?' a story for Anglomaniacs, by Arthur Louis, is announced by Brentano Bros.

Early this month Thomas Whittaker will have ready 'Liturgies and Offices of the Church, for the use of English Readers, in illustration of the Book of Common Prayer,' by Edward Burbidge, M.A.

'Cynewulf's Phœnix,' edited by Prof. W. S. Currell, as the fourth volume of the "Library of Anglo-Saxon Poetry"; and 'The Parts of Speech, and How to Use Them,' by Mrs. N. L. Knox-Heath, are in the press of Ginn & Co.

We learn that the Rev. E. H. Plumptre's translation of Dante—both the minor poems and the 'Commedia'—is nearly ready for the press. It will make two volumes of about five hundred pages each, and the approval it has already received from various scholars (Mr. J. A. Symonds among them) should make its appearance a matter of lively interest.

George H. Buchanan & Co., Philadelphia, will hereafter confine the use of this firm-name to their printing business. As publishers they will take the style of Arnold & Co.

We have already remarked on the animus of Capt. George M. Wheeler's Report on the Third International Geographical Congress and Exhibition at Venice in 1881. It is proper to add that the volume is embellished with specimens of the chief Continental topographical maps, showing parts of Switzerland, Prussia, Saxony, and France, as well as of the island of Java.

The report of the Commissioner of Fish and Fisheries for 1883 has just come from the Government Printing Office, though bearing the date of 1885. There is a very minute account, with plates, of the *Albatross*, and at the close of the volume there are numerous figures of cetaceans accompanying directions to the keepers of life-saving stations and lighthouses as to the collection of specimens. The Report and the many appendices contain a vast amount of information concerning fishing and fish-propagation, in foreign parts as well as in this country.

We have also on our table a valuable Report on European Dock-yards, by Naval Constructor Philip Hichborn, U. S. N., illustrated by a large number of plans and sections, with photographic views of iron-clads, torpedo-boats, machinery, etc., etc.

A map showing the distribution of broods vii. and xxii. of the periodical cicada is annexed to the report of Dr. C. V. Riley, Entomologist of the Department of Agriculture, whose pamphlet on the Mulberry Silk-Worm—a manual of instructions in silk culture—is now, by the way, issued in a sixth edition.

The 18th and 19th annual reports of Prof. F. W. Putnam, Curator of the Peabody Museum of American Archæology and Ethnology at Cambridge, to the Trustees have just been published in the same covers. Special interest attaches to the reëxamination of mounds in the Scioto Valley, Ohio, described by Squier and Davis in 1840. Prof. Putnam s es in certain jadeite ornaments from Costa Rica, formed from celts, evidence of migration from Asia. Dr. W. F. Whitney offers some notes on bone diseases of the native races of North America, as determined from the remains secured for the Museum.

Dr. George H. Moore, in a paper read last December before the Massachusetts Historical Society, concluded, from his researches, that the negro poetess, Phillis Wheatley, first used in America the name "Columbia." This was in a poem addressed to Washington in October, 1775. Col. Albert H. Hoyt, however, in the *N. E. Historical and Genealogical Register* for July, is able to point out the word in a volume of poems composed in 1761, mostly by Harvard graduates, in commemoration of George II. and congratulation of George III. He has also found it in poems printed in the *Massachusetts Gazette* of April 26, 1764, and Boston *Gazette* of February 13, 1775. "Columba" was sometimes used for Columbia, from 1772 onward. Col. Hoyt asks for any reference earlier than he has given.

At Leipzig has been published an authorized German version of the late Helen Jackson's 'Ramona,' made by Elizabeth H. Denio, Professor of German at Wellesley College. The story may well, in this guise, achieve a transatlantic popularity. The German edition is in clear and open print.

"Les Demoiselles de Saint-Cyr," by the elder Dumas, has long been a favorite French play for class reading. There is no neater or more available edition than that just published by Macmillan & Co., with introduction, arguments before each act, and very copious notes, by M. Victor Oger. Like the other school publications of this firm, "Les Demoiselles de Saint-Cyr" leaves nothing to be desired in point of execution. The text is good and very clear, and the lines are numbered. There are nearly sixty pages of notes, historical and grammatical, containing in some cases very felicitous renderings of French idioms. M. Oger, having a very easy French text to deal with, has occasionally gone out of his way to bring in erudite comparisons with English and Latin, as when he tells the elementary learner, in a note to *tâtant le tapis*, "Tâter (from Latin *taxare*, a form of *tangere*) is idiomatically equivalent to *feel*, which is probably cognate with *palpable*."

There is not much to remark in *L'Art* for August 1 (Macmillan). The leading paper discusses the new Rijksmuseum at Amsterdam; and sundry letters of H. Regnault's are printed for the first time. The most important plate is a very skilful and interesting engraving from the burin of Mme. Lucie Tonnet-Contour, after Courbet's "Man with the Leather Belt."

To the *Gazette des Beaux-Arts* of August 1 M. Got, the dean of the Comédie-Française, contributes a most interesting paper on the fine collec-

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tion of pictures, statues, and MSS. now housed in the Théâtre-Français, and pleads for additional rooms in the Palais Royal, but communicating with the Théâtre-Français, to accommodate the precious MSS. beyond the risk of fire, always large in a theatre. Among the illustrations to this paper is a fine etching of Houdon's masterly seated statue of Voltaire.

Under the alluring title of 'Les Jeux de la Jeunesse, leur origine, leur histoire, et l'indication des règles qui les régissent' (Paris: Hachette; New York: F. W. Christern) M. Frédéric Dillaye has prepared a volume of 400 pages, which, interesting as it is, is not half as interesting as it ought to be, because the author has been content with haphazard gatherings and has not really investigated. The chapters on French games are far better than those on lawn-tennis and cricket, and the illustrations of the latter are altogether too Gallic. Few of the illustrations seem to have been made for this book, most of them being apparently drawn from the enormous stock of the publishers.

The latest addition to Hachette's series of foreign novels is 'Un Roman sur le Nil,' translated by M. M. S. from 'Mirage, a Nile Novel,' by "George Fleming."

For the twelfth time M. Albert Soubies has issued his 'Almanach des Spectacles,' the most concise and exact of the several French theatrical year-books. The volume for 1885 is as neatly put together and as beautifully printed as its predecessors, although the etching of Mlle. Pierson, by M. Lalauze, is not quite up to his usual level. One of the most useful departments of M. Soubies's little book is the theatrical bibliography, which fills twelve pages.

In anticipation of the seventh International Congress of Orientalists, which is to meet in Vienna on the 27th of September, the work of unrolling and deciphering the papyrus manuscripts of the Archduke Rainer's collection is being carried on with exceptional energy and vigor. It is believed that so great an amount of new material will be in readiness to submit to the inspection of the Congress that scholars will, for the first time, be in a position to appreciate the full importance and significance of this collection, the thorough and systematic exploration of which is just begun, and of which only scattered and fragmentary accounts have yet appeared to whet the appetite of students.

In the matter of the rediscovery of the autograph MS. of Petrarch's Canzoniere, so fully described in the *Nation's* Munich letter, the *Allgemeine Zeitung* states that the Accademia dei Lincei at Rome has rendered a decision decidedly adverse to M. de Nolhac's claim of priority. After an examination of the memoir presented by Dr. Pakscher, in which he gives a full account of his discovery, the Academy decides that priority belongs to him, and that M. de Nolhac has been unable to prove that his discovery of the MS. was the earlier.

—In noticing elsewhere the sudden and lamentable death of Mr. Charles C. Perkins, of Boston, we have enumerated some of his admirable traits as a citizen of marked public spirit, and his chief literary productions in the field of art, to which he had principally devoted himself, and in which his reputation was securely established. He was among the foremost of the yet small body of men in this country qualified to instruct in matters of art, and in that capacity he was for many years, at irregular intervals, a voluntary and an invited contributor to the *Nation*. He was the author of the recent review, in these columns, of the revised edition of Herman Grimm's 'Life of Raphael'; and Prof. Grimm's explanatory rejoinder, printed in our last issue, was on the press at the time the fatal accident occurred to Mr. Perkins. The last private communication which we received from the latter related to the rejoinder in question, and must have been written just before he started from Newport for Vermont.

—M. Charles Yriarte, in true knight-errant style, sets off in the springtime for foreign lands in search of adventures and of archæological lore, and always finds an abundance of both, whether he seeks for it in Morocco or in Venice, in Sicily or in Rome. This year he goes into little-known places in Spain, following his hero, Cæsar Borgia, whose portraits he had before discovered, whose weapons he had handled, and whose letters he had collected, all of which he afterwards described in the pages of the *Revue des Deux Mondes*, *Les Lettres et les Arts*, and other periodicals. Now M. Yriarte has returned from Spain, and he gives in the *Journal des Débats* for August 5 some of the results of his journey, in a way that it would be difficult to equal for picturesqueness, fulness of incident, conciseness, and clearness. This short article, "Où est la tombe de César Borgia?" is a model of artistic arrangement and execution, and, in spite of its subject, is as interesting as it is picturesque. When the complete work which M. Yriarte must be preparing upon Cæsar Borgia appears, no one who has read this short passage can fail to take it up with the delighted expectation of finding in it all the charm of a mediæval chronicler, and all the exquisite finish of a modern French artist in language. That M. Yriarte succeeded in finding not merely the tomb of Cæsar Borgia, but even his mortal remains, gives a poetic completeness to this interesting search, which the reader follows with something of the personal excitement of the seeker himself. At the foot of the cathedral steps in the little town of Viana, following the traditions he had gathered from the people of the place, and with the help of the authorities, M. Yriarte at length uncovered the rude receptacle of tiles within which lay the bones of Cæsar Borgia. They were placed there by the orders of a Spanish prelate, his successor in the archbishopric of Pampeluna, who had them removed from the magnificent tomb within the walls as unworthy to rest in that sacred place, and laid where for centuries they have been trampled over by all the generations of pious worshippers who have gone in and out of the cathedral and all the noisy traffic of the market-place near by. How the skull which crowned the perfect skeleton lying there crumbled away at the touch, how they covered up again the remains without further disturbance, how the story was distorted into the profanation of a church, and how the successful archæologist finally established his innocence and the truth of his discovery, M. Yriarte tells in his concise and graphic fashion. In any work of art, it is not so much the material which is valuable as the workmanship, and in this respect the little essay is a masterpiece.

—M. Léopold Delisle, the erudite Administrator General of the French National Library, has recently issued a pamphlet of forty pages entitled, 'Instructions pour la rédaction d'un inventaire des incunables conservés dans les bibliothèques publiques de France,' in which he urges the desirability and usefulness of a general catalogue of all books printed before the year 1501, now existing in the public libraries of France, and goes on to show that such a catalogue might be prepared with comparative ease within a reasonable time. His plan, which is very like that followed in Bolton's 'Catalogue of Scientific Periodicals,' is to describe each edition but once, adding to the descriptive notice the name of each library possessing a copy. He estimates that on this plan a catalogue of the possible 100,000 incunabula to be found in the French libraries might be brought within the compass of five or six volumes, containing some twenty or twenty-five thousand entries. Of course it is essential to the success of such a catalogue that all the incunabula shall be described upon one uniform system, and M. Delisle has accordingly drawn up a full and precise code of rules to be observed in cataloguing early printed books. Particular stress is laid upon the importance of making mention of printers' marks, illuminations, and manuscript notes of historical or literary interest, whenever they occur. The rules are followed by nearly a hundred specimen titles illustrating their practical application. This code of rules, coming from so competent an authority in bibliography as M. Delisle, is likely to become the standard manual of the subject. It is gratifying to learn that the desire for a general catalogue of incunabula is in a fair way of being accomplished. The Minister of Public Instruction has had M. Delisle's rules printed as an appendix to a circular addressed to the Mayors of French cities. In this circular the Mayors are directed to place these rules in the hands of the librarians of the respective cities, and to request them to prepare lists of all the incunabula under their care, in conformity with the rules of M. Delisle, and to transmit these lists to the Minister as soon as they are completed, in order that the work of compiling the general catalogue may begin without delay. It is to be hoped that the French librarians will respond promptly and generally to this appeal, and that we may look forward to the early publication of a catalogue which will be of inestimable value to librarians and scholars.

—In the *Preussische Jahrbücher* for August will be found an interesting and suggestive article of twenty-nine pages on copyright in Germany, written by L. H. Müller, a Hamburg lawyer. The article consists of three parts, the longest, most logically developed and carefully written being an argument against the accepted view of the *nature* of copyright. Mr. Müller expresses in vigorous language his belief (which he holds in common with some in this country) that the idea that there can be property in ideas is a sham and a delusion, of which even its advocates are conscious. The introduction, however, deals with the conditions of literary life in Germany, exhibiting in detail its unhealthful state, injurious to authors and publishers alike; while the conclusion gives the author's plan for remedying the evils mentioned. Briefly stated, these evils are three in number: (1) the high price of books, which prevents any considerable sale, and so hinders that increase in the common stock of culture which would result from a greater circulation of sound literature; (2) the small pecuniary reward which the authors get; and (3) the degeneration of the publishing trade into a mere lottery, in which the chances of profit are based upon exceptional works whose popularity none can foresee. In this lottery the only thing certain is that the more tickets bought—*i. e.*, the more books, of whatever value or want of value, issued—the greater the chance of drawing a prize. The injustice to authors, of course, consists in the fact that the successful book makes, not his fortune, nor even the publisher's, but merely reimburses the latter for losses caused by reckless acceptance of worthless works.

—Mr. Müller's statistics, which he professes to have compiled from trustworthy sources, are especially interesting in comparison with those of our own trade. For an ordinary book the cost of paper, per sheet, is ⅜ to ½ a cent; presswork is so cheap as not to be worth counting; composition varies all the way from $7.50 to $15. Altogether the first 1,000 copies of a 12mo (the entire volume) cost only $125 to $150! We believe

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the usual estimate for such a volume in this country (including, however, binding and stereotype plates) is $1,000. Subtracting the last two items it would still be $750. Now such a book in Germany sells for 75 cents, and of this the author, provided he has established his reputation so that the venture is comparatively safe, gets 5 per cent.; the cost of production, publication, interest, etc., consumes 25 per cent. more; while 70 per cent. is divided as profit between publisher and bookseller. Mr. Müller proposes to abolish this system so as to make Germans a book-buying people, and, incidentally, to make the literary profession a more profitable one, by doing away with statutory copyright. His plan is essentially the same as that of Mr. George Munro for international copyright—every one should be at liberty to publish, provided he will pay the author his percentage, which, Mr. Müller reckons, the latter could safely estimate at 33 per cent. on a smaller retail price but indefinitely increased number. The author, of course, would not be permitted to make an exclusive contract, *i. e.*, to require from one publisher a larger percentage than from another. As to practical difficulties, there would be no more than in any other business in which the principal is occasionally obliged to obtain, by legal process, an inspection of the agent's books. Or, the author could stamp or sign all the authorized copies, so that, like patent medicines, they should bear the inscription "None genuine unless accompanied by the inventor's signature."

DR. HEDGE AMONG THE GERMAN CLASSICS.

Hours with German Classics. By Frederic Henry Hedge. Boston: Roberts Brothers. 1886. Pp. 531.

DR. HEDGE'S 'Prose Writers of Germany' appeared in 1848. In our fast-living era that date seems a long time ago, and yet to this Nestor of American German scholars it must be but as the day before yesterday compared with the time when he had his first introduction to the Teutonic mind. He went to study in Germany as far back as 1818, a time when Carlyle's inspiriting voyages of discovery were still in the future. Probably no one else now living is so well able as is Dr. Hedge to relate the entire early history of German studies in this country, and to describe the effect of these studies upon American, more especially upon New England, life and literature. For our own part, we could have wished that some portion of the large and handsome volume which he has just given to the public had been devoted to such a retrospect. The theme is certainly an alluring one, and could but lead to many interesting reflections upon the difference between the present time and the time when German literature dawned as a new star on our intellectual horizon; when the German race was as yet but sparsely represented among us, and the German language, not taught in school or college, was known to but few; when, on the other side, Prometheus had not yet been chained to the rock by Kratos and Bia; when Germany was still in some proper sense the empire of the air and a home of the soul for children of the air; when—but we must resist the seduction of musing further upon the chapters which Dr. Hedge might have written, and turn to those he has actually offered us.

'Hours with German Classics' consists of a selection of lectures delivered by Dr. Hedge in his capacity as academic teacher. A prefatory note explains that the essays are "far from assuming to constitute a history of German literature," but aim rather "to exhibit some of its characteristic phases as exemplified by writers who fairly represent the national genius." It is also stated that, from considerations of space, many writers of note, especially the philosophers, have been omitted, the reader being referred for a treatment of these to the author's earlier publications. From the language of the preface it might perhaps be inferred that pains had been taken to avoid in this new volume the fields already worked in the older ones; but such is not the case. Nearly all the great writers, from Luther down, who are discussed in the present work were discussed in the one of 1848. And the method of the two books is likewise much the same. We have, namely, in each a biographical sketch of every author treated, a critical estimate, and some translated specimens of his work. In the former volume the stress falls upon the specimens, which are all in prose; in the new one it is the biography and criticism which are accented, and the citations are largely in verse. The newer sketches are more copious, more discriminating, and more independent. They are also superior in point of style; and, having said that, we consider ourselves to have atoned for the *brutalité* of calling attention to the following sentence from the essay on Novalis: "On the 25th of March, 1801, before his twenty-ninth birthday, he fell asleep, to wake no more in the flesh, while listening to the music of the piano, on which his brother Carl was playing at his request."

The erudition and critical capacity of Dr. Hedge are so well known that little need be said about them here. As to the twenty chapters in this new volume, however, the exact praise which belonge to them is, that they are excellent academic lectures. And when this has been stated it goes without saying that they do not rank with the best grade of literary essays. Criticism in its highest manifestation is hardly compatible with the exigencies of good classroom instruction. The critic as lecturer is more or less handicapped by the function of the teacher. He must give instruction upon elementary matters. He must not only be perfectly clear (no one is exempt from the duty of lucidity), but he must deliver matter that is somewhat adapted to being taken down in black and white and worked up for examination. He may not as a rule assume in his hearers information much beyond what he himself communicates. He must speak to listeners that are not at home in the higher walks of criticism, and he must speak to them largely of books and of authors which they have not read. Conditions of this kind are fatal to that freedom of movement and that delicacy of touch which are the life of the best critical writing. Dr. Hedge's 'Hours' is, therefore, not a book to which the specialist should go expecting to find there the best that can be said, or even to find matter which is always on a par with the best that has been said, about the authors treated. It is rather a reference book for the learner who desires to "orient" himself among the German classics; to learn who the great writers are, when and how they lived, what they wrote, what their literary and personal characteristics were, and how they are looked upon by good judges in general, including Dr. Hedge in particular. A work of this kind, which goes over in a familiar and conventional way ground that has often been gone over before, and the great bulk of which, both facts and opinions, belongs to what may be called the routine outfit of every well-read student of German letters—a work of this kind must derive its chief title to recommendation from its literary workmanship, from its choice of subjects for treatment, and from its use of illustrative material.

Of the first of these as exemplified in the work before us we have already spoken; it deserves high, if not the highest praise. As to the choice of subjects and of illustrative matter, this also commends itself to our judgment, though not without an occasional exception. Thus, right at the outset, we should hardly regard the Gothic Bible as entitled to any time in a programme consisting of "hours with German classics." Dr. Hedge does so regard it, and justifies himself on the ground that he is but following the precedent of German writers; "the Gothic Bible being," as he says, "a work which German philologists unanimously claim as the oldest monument of German literature." But this statement is decidedly wide of the mark, or else, what is very likely the case, the phrase "German philologists" does not here signify precisely the same body of men that it signifies to a Germanist of the younger generation. It is indeed true, unfortunately so, that the native manuals of German literary history usually begin with Ulfilas or even with the pro-ethnic "Aryans." But these manuals are not usually made by philologists, and those who do make them know, or ought to know, that they really have no more business with the Gothic Bible than with the Norse Edda or the Anglo-Saxon Beowulf. Gothic is a branch by itself of the Germanic family, and has, even within the family, no specially close affinity with the German. Its nearest congener, if it has any, is the Old Norse (but this, says Noreen, is "not proved"). At all events, the extant fragments of Ulfilas's Bible are no more Old German than they are Old English or Old Norwegian; and the felonious appropriation of them by Germans for the purpose of gaining a few centuries of antiquity for the beginnings of their own literature, is a thing to be reprobated rather than imitated outside of Germany.

It is perhaps hardly necessary to say that both Ulfilas and the other "eldest monuments" are treated by Dr. Hedge solely from the literary point of view. The linguistic aspects of the Gothic are disposed of by quoting the Lord's Prayer for the purpose of "showing how much of modern German there is in it"—a thing which no ordinary reader would ever discover without a good deal of skilful assistance. Our author's strength is as a philosophic critic of philosophic literature, and not as a philologist in the now current sense of that term. Thus we read, among some general observations upon the German language: "'Tis not a sonorous language—the excess of consonants forbids; but fine vocal effects are possible in it through the ease with which it forms compounds, *e. g.*, *Windesungestüm.*" Again: "If not orotund, like the languages of the Latin family, it has softer combinations of sound than any language with which I am acquainted. Take this from Goethe's poem 'Der gefangene Graf':

> 'Doch wird ein liebes Liebchen auch
> Der Lilie Zierde loben.'

Or this from Schiller's 'Pilger':

> 'Ach kein Steg will dahin führen,
> Ach der Himmel über mir
> Will die Erde nie berühren,
> Und das dort ist niemals hier.'"

Now the comparative "sonorousness" or "orotundity" of different languages, or their relative capacity for "soft combinations," are concepts with which phonetic science finds it very difficult to operate, and that for the reason that there is no standard for the measurement of these qualities. They are matters usually of national prejudice, and always of subjective impression. What one deems highly mellifluous may or may not be pleasing to another, and commonly is not when the other is of a different race. To take the case in point, we for our own part should never think of quoting *Windesungestüm* as a fine vocal effect; and the lines from the "Pilger," like most of Schiller's lines, seem to us rather deficient in melody. As to the verses from Goethe, we, too, think highly of them; but the "softness" which impresses Dr. Hedge resides, as we surmise, in no peculiar quality of the German

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language, but simply in the "liquid" alliteration, which is as easy in one tongue as in another.

Of all the writers treated by Dr. Hedge the most space is naturally enough given to Goethe, who is throughout handled *con amore*. In the first quarter of this essay, which occupies nearly ninety pages, we have the author at his best. The second quarter consists chiefly of translations, and the last half is made up of an exposition of 'Faust' and the 'Mährchen.' This last Dr. Hedge calls the "subtlest of allegories"; and he sees in it with Baumgart a "prophetic prevision of the destinies of Germany." In this sense he gives a detailed interpretation of it. The world is already full of hard work for scholars, but we should like to commend to the plucky exegetes of the 'Mährchen' the question whether Goethe's Green Snake is not the parent of our numerous modern sea-serpents. In the remarks upon 'Faust' the erroneous statement is made that the whole of the third act in the Second Part had been completed previously to 1808. The question is also considered whether the final redemption of Faust was a part of Goethe's original plan, or whether he at first intended to follow the legend. Dr. Hedge inclines to the latter view. But surely the question is set at rest by the oft-quoted letter of Goethe to W. von Humboldt, in which he says, under date of March 17, 1832, that the general conception of 'Faust' had lain clear in his mind for sixty years. Such a statement would have been impossible if, midway in the sixty years, he had introduced into his conception the most radical change that could possibly be made. And the internal evidence upon the point is no less strong than the external. From the first moment of our acquaintance with him, Faust utters the inmost thoughts and feelings of Goethe himself. But one does not deliberately send his own soul to hell. Nor is there, as Dr. Hedge seems to think, anything inconsistent with this view in the last line of the "Prelude":

"Vom Himmel durch die Welt zur *Hölle*."

That familiar *crux* can be found satisfactorily explained by almost any of the recent commentators. The words are not intended to describe the final goal of Faust's career.

And here we must take a somewhat abrupt leave of Dr. Hedge's work. The few further points we might notice, were there space, are certainly not of more importance than those that have already been touched upon, and from the paucity and character of the strictures made our high average estimate of the book may be inferred. We note in conclusion the following misprints: "Diutish" (Diutisc or Diutisch), p. 11; ἀθανατίξοντες, p. 13; μνηστήρες and Hettel (Hetel), p. 56; "Reineke *der* Fuchs," p. 60; "Hans Sachen's" (Sachsen's), p. 88. "Ufnan," p. 99; *Ca*tholic," p. 229; "Gödike" (Goedeke), p. 347, 362; "Ingo*t*stadt," p. 430; "Wiedestedt" (Wiederstedt), p. 449; "Witte*m*berg," p. 450.

RECENT LAW BOOKS.

Sir William Anson's 'Law and Custom of the Constitution, Part I, Parliament' (Oxford: Clarendon Press; New York: Macmillan & Co.) calls to mind, by its title, Dicey's excellent treatise; but it is a very different sort of book. Dicey was not concerned with stating the details of constitutional practice; but only with marking clearly the leading characteristics of the British Constitution, in a legal aspect, and its place as compared with other systems. Sir William Anson undertakes to state in some detail what the different parts of the machine are and how they work. The early history of the matter is briefly sketched; the various changes in recent centuries are pointed out; and we are informed just what the arrangements are to-day. One who would know, *e, g.*, the exact qualifications for voting in the United Kingdom to-day, what they were made by the Act of 1867, by the Reform Bill of 1832, and so on, may find it all here.

"I have endeavored," says the author, "to state the law relating to existing institutions, with so much of history as is necessary to explain how they came to be what they are. . . . The lawyer primarily wants to know what an institution is, and then the circumstances of its growth. I have tried to satisfy his first requirement, and, as to his second, to put him in the way of obtaining more knowledge than I can pretend to possess. . . . Professor Dicey . . . has drawn with unerring hand those features which distinguish our constitution from others, and has given us a picture which can hardly fail to impress itself on the mind with a sense of reality. I have tried to map out a portion of its surface and to fill in the details. He has done the work of an artist. I have tried to do the work of a surveyor."

After some preliminary chapters, the writer deals with the "Meeting of Parliament," showing who are summoned and how, giving the formal details of the opening of Parliament and explaining its adjournment, prorogation, and dissolution. The House of Commons is fully dealt with in about a hundred pages; and then the House of Lords, the Process of Legislation, the Crown in Parliament, the Executive and Legislature in Conflict, and, lastly, the High Court of Parliament. An excellent specimen of the author's neat and skilful handling of his subject is found in the ninth chapter, where he traces "the various ways in which one of the three parts of this legislative body has tried to act independently of the other two in respect of legislation, or to control or influence the others so as to get legislation practically into its own hands." This book, it may be said, in a word, furnishes the information of a practical manual, stated in an interesting manner, and elucidated by brief but sufficient historical narrative, and by legal explanation and analysis. It is well calculated to accompany such a book as Prof. Dicey's. It is a difficult work done with excellent judgment. In a second part the author will deal with the Executive. Sir William Anson, it will be remembered, is the Warden of All Souls, and is the author of a valuable work on the Law of Contract.

Mr. T. Henry Dewey's 'Treatise on Contracts for Future Delivery and Commercial Wagers, including Options, Futures, and Short Sales' (Baker, Voorhis & Co.) is an interesting book, and well written. The greater part of it is contained in the third and fifth chapters, entitled, respectively, "Facts and circumstances which have been considered by the courts as indicating an intention to wager," and "Wagers considered in reference to brokers and commission merchants"—this last chapter being cast into the form of eight rules, with a pretty full accompanying statement of cases. The other three chapters are devoted to "Wagers" and "Evidence." The author states the common-law validity of a wager in England and in most jurisdictions here, naming certain exceptions, as Pennsylvania, Missouri, and several of the New England States; and he adds references to the English statute of about forty years ago, declaring wagers void, and to a like statute in New York. As regards the present state of the law in this country it is added: "As a general rule it may be stated that in this country all wagers are void, either at common law or made so by statute." After a reference to various special statutes in England and here against "stock-jobbing," "short sales," etc., the author remarks:

"The history of these acts furnishes an interesting and instructive study, and, taken as a whole, they show how useless it is to legislate against the natural laws of trade. The English statute sought to prevent short sales in public funds, . . . and prohibited contracts known as 'puts,' 'calls,' and 'straddles.' After lingering on the books for a century and a quarter, scorned and violated every day, . . . the true result and effect of it was shown, and it was repealed. . . . The act of Congress in reference to gold sales, and the New York statute against stock-jobbing, and the Pennsylvania statute against short sales, have all of them met with the same fate. . . . The Massachusetts statute against short sales and the Georgia statute against 'futures' remain, but that either of these statutes prevents in any appreciable degree short sales or options in these States is extremely doubtful. . . . What will be the effect of the Ohio statute [of 1885] remains to be seen."

Apart from special statutes, the author gives as the true test of what is unlawful this:

"Where the parties to a contract in the form of a sale agree expressly or by implication at the time it is made that the contract is not to be enforced, that no delivery is to be made, but the contract is to be settled by the payment of the differences between the contract and the market price at a given time in the future, such a transaction is a wager. The form of the sale is a mere cover, the real intention being to bet upon the market price at some future time, the sum wagered being the difference of the two prices as that may subsequently appear."

It will be observed that this requirement of "a contemporaneous agreement, express or implied, that the sale is not to be enforced," is one that does not necessarily interfere with short sales or even with options in any of their varieties of "calls," "puts" or "straddles," and "spread-eagles." These pleasing phrases are clearly explained by the author. In the business of the "bucket shop" the form is that of a sale, but the substance is a wager. The chapter relating to brokers and commission merchants is a valuable one, and develops the important distinction between statutes which declare wagers void and those which make them illegal. It is perhaps pardonable in just such a book as this—dealing with a novel topic, and likely to be read, in a great degree, by unprofessional readers—to quote fully from the cases; but the author has carried this too far. And five precious pages of the text are given up to repeating a note by Dr. Francis Wharton to a case in the *Federal Reporter*. That learned author, by the way, may well grieve to see himself fathered with a statement about the doctrine of laissez-faire as "accepted in the main by Adam Smith *and by J. S. Miller*." But, upon the whole, Mr. Dewey has made a valuable and important book.

'A Treatise on the Construction or Interpretation of Commercial and Trade Contracts,' by Dwight Arven Jones (Baker, Voorhis & Co.), is a work that interests the reader, because it shows thought, and study, and a considerable examination of the cases; but it is a disappointing book. The author has made an honest effort to handle thoroughly a difficult subject, but with very imperfect success. He should have waited longer before publication; his book would have been a much better one if he had delayed it a good while longer. In the course of twenty-three chapters he deals, among other things, with the nature and scope of construction, with parol evidence as an aid of construction (under the three heads of explanatory, supplementary, and contradictory parol evidence), with the admission of usage, with rules of construction, and with alterations. Very sensibly he treats construction and interpretation as synonymous. By "commercial and trade contracts" he appears to mean written ones, although he does not expressly say so. It might have been very instructive if he had considered how far the rules of construction ordinarily laid down as applicable peculiarly to written contracts are really equally applicable to oral ones. Mr. Jones does good service in discarding the test of latent and patent ambiguity, and in giving his reasons for it. In this course he is well supported by modern writers, *e. g.*, Wigram, Stephen, and, last but not least, Nichols,

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the editor of Britton, whose valuable contribution to the Juridical Society Papers "on the rules which ought to govern the admission of extrinsic evidence in the interpretation of wills," is too little known. But the habit is still inveterate with our judges of expressing their opinions in the terms of this quaint, confusing, ill-understood, and ill-applied discrimination. The chapters on "alterations" are good rather as affording materials for the discussion of this perplexed topic, than as furnishing in themselves any satisfactory discussion of it. We look for better work than this from Mr. Jones when he shall have studied and pondered his subject more fully.

Mr. James H. Deering's small volume on 'The Law of Negligence' (San Francisco: Sumner Whitney & Co.) is one of those convenient digests—containing in small compass references to an enormous mass of cases—which the San Francisco publishers have been for some time giving out. This book is mainly taken up with the statement of what the cases tell us is the law as to "negligence in particular relations," arranged alphabetically in thirty chapters, beginning with "Animals" and ending with "Wharves and Docks." A few other chapters deal with the "General Principles of Negligence" and the "Remedies for Negligence." It is, as we have said, a convenient book, of the order of handbooks for a practitioner's ready reference, and shows great diligence in collecting the cases. The omission of an index of the cases is a grave defect; even in a *mere* digest (and this is something more than that) such an index is highly important.

An important book on 'Attachment and Garnishment,' by Mr. W. P. Wade, in two volumes, is published by the new San Francisco house of Bancroft, Whitney & Co.—a firm made up by uniting the law department of A. L. Bancroft & Co. with the enterprising and favorably known house of Sumner Whitney & Co. Mr. Wade has done a very elaborate and useful piece of work in digesting in this treatise a subject which has peculiar difficulties, as being mainly a matter of statute, and is at the same time peculiarly important. It is important to mercantile men and their legal advisers to have some ready means of knowing what remedy they may have against the property of a debtor in any part of the country. But it is a difficult and unattractive task to explore and reduce to form the varying statutory provisions in forty-six different jurisdictions in this country. This is what Mr. Wade has done. The first volume is devoted to the "Attachment of Tangible Property by Direct Levy." The second deals with Garnishment, otherwise called the "Trustee Process," "Foreign Attachment," and "Factorizing." Each volume has its own index and table of cases—a convenient arrangement. Over three hundred pages of the second volume are devoted to a compilation of "the statutes of all the States, without abridgment, upon the subjects of attachment and garnishment, by whatever name the latter may be called." In point of fact, in his presentation of the statutes, the author has done both more and less than what he describes. He gives the laws of the United States and the Territories as well as those of the States. On the other hand, he does not give them fully; *e. g.*, the laws of Massachusetts as to garnishment (or, as it is there called, the trustee process) are omitted.

A thoughtful and courageous little book is 'The Elements of Right and of the Law' (San Francisco: A. L. Bancroft & Co.), by George H. Smith. The author has a low opinion of the fundamental doctrines of the existing English treatises on jurisprudence—Bentham, Austin, Amos, Maine, Holland, and Markby. When a student at law he was "utterly bewildered by the confusion reigning in Blackstone and other text-books with regard to the nature and general principles of private right." He undertook to write an elementary treatise on the law, "which should at least be free from logical inconsistency," but found it necessary first to ascertain "the nature of the law and of its fundamental principles; and he therefore temporarily abandoned his original design and devoted his studies to this problem. The result, after the patient and persevering meditations of a quarter of a century, . . . is contained in this volume." The work is in three books: first, Elements of Right; second, Elements of the Law; third, Historical and Critical Review of the Several Theories of Jurisprudence. The author conceives of a right as something which "necessarily implies the idea of rightness, and all rights are therefore moral rights, and there cannot be a right of any other kind. Hence there cannot be such a thing as a legal which is not a moral right." The word "right" denotes "the aggregate of the principles by which rights are determined." The term "*jus*," on the other hand, is used to denote "the body of rules and principles . . . by which courts are governed in deciding questions of right, or by which, in other words, actions are determined." The word *jus* has been used to mean also "the practical means adopted in such States for the determination and enforcement of rights"; the word "law" is used by the author as signifying this—"the law of procedure." "The problems presented by *jus* and by right respectively, though intimately connected, are yet essentially different in their natures. . . . In the one the problem . . . is to determine, in view of all existing facts, including laws and customs, the cases in which rights exist; while in the other it is simply to ascertain in what cases actions, whether just or unjust, are given by the State."

We have made these selections as indicating fairly well the general aim and conceptions of the author. He makes the legal doctrine of rights to be no other than that of "*scientific* morality, by which the principles of positive morality ["the common moral convictions, or concurring consciences of the people"] are in the main demonstrated to be true, and at the same time its errors and defects corrected." This book is far from being a first-rate one, but it is still an original and valuable contribution to the subject of jurisprudence. In its aim to give a wider ethical outlook to that science many students of the subject will heartily sympathize. Not so many will think that the author is successful in establishing so great and wide a fund of law for judges to draw upon as that of "scientific morality." An index of cases is needed.

A result of the enormous multiplication of law reports is the publication of special digests and collections of the cases on particular subjects. An important undertaking of this sort in five volumes has lately been published, entitled 'Defences to Crime: The Adjudged Cases in the American and English Reports, wherein the Different Defences to Crime are Contained, with Notes' (San Francisco: Sumner Whitney & Co.). It is edited by Mr. John D. Lawson. There is no doubt of the very great value of these volumes to the practitioner or student of the criminal law. They constitute in themselves a library of nearly 2,000 cases reported substantially in full, and over 3,800 cases cited and more or less digested in the notes; our figures are those of the editor. It is a pity that the reader should be told in the preface to the last volume that the object of the series is that of bringing together "all the reported cases in which a particular defence has been set up on a trial or in an appellate court"; and, again, "all the criminal cases relevant to the prosecution or defence of a criminal accusation." On the contrary, we are expressly told in the prefaces to the third and fourth volumes that the undertaking is only to gather "all the cases in which the defence in question has been *successfully* maintained, . . . not all in which particular defences are raised or discussed." *That*, it is added, would take twenty-five or thirty volumes. Besides, "as this series is for the defence lawyer and not for the prosecution," we are told, somewhat naïvely, that he needs "only the cases where a particular defence has been successful."

The first of these volumes is merely a reprint of Horrigan and Thompson's 'Collection of Cases on Self-Defence—Select *American* Cases.' That book was published in 1874. Why should the publishers place this twelve-year old collection in the series and not bring down the cases to the present time? Why retain such a mark of antiquity as the citing of Stokes's case by Horrigan and Thompson thus: "53 N. Y.—"? Certainly this is slovenly work. The second volume is Mr. Lawson's valuable book of two years ago, cases on "Insanity and Drunkenness." The third volume has the cases relating to "Disabilities of Parties"—and so touching corporations, infancy, agency, etc. Volume iv relates to "Special Defences to Crimes against the Public," and deals with a long list of crimes. The fifth volume is concerned with "Special Defences to Crimes against the Persons and Property of Individuals"—another long list. Notwithstanding the very moderate order of merit which one finds in the editing and annotating of these volumes, they make up a library of very great value to the criminal lawyer, and are especially to be commended to the practitioner who is at a distance from large collections of law books.

'The Constitutions of the United States and of the State of Ohio, with Amendments, Annotations, and Indexes; also the Articles of Confederation, 1777, and Ordinance of 1787' (Cincinnati: Robert Clarke & Co.) is a thin volume, royal octavo, prepared with care, and, apparently, with accuracy. It is, of course, mainly for a local market, but it has points which commend it to general use, namely: a good citation of cases under different parts of the national Constitution, a brief historical memorandum of the facts relating to that instrument, and especially a remarkably full analytical index to it. The Ordinance of 1787 and the two Ohio Constitutions of 1802 and 1851 are given, with their amendments and with full annotations and indices. There ought to be just such a volume in every State of the Union.

Prof. Holland's 'Elements of Jurisprudence' (Oxford: Clarendon Press; New York: Macmillan) has reached its third edition in less than six years, a fact that speaks well for the growing interest in the thorough and well-stated discussion of legal principles. The author attempts "to set forth and explain those comparatively few and simple ideas which underlie the infinite variety of legal rules," and his purpose is accomplished in a manner which greatly clears and illustrates the whole field of law. There has been much discussion of late about the introduction into our colleges of a general course on law. Technical courses are not to be thought of, so long as there is any attempt to keep separate the professional school and the college; but a certain grounding in "those comparatively few and simple ideas which underlie the infinite variety of legal rules" is something which might be and ought to be open to all students at our higher institutions of learning. An excellent text-book for a serious and thoughtful class would be this well-known book by Prof. Holland. A difficulty, perhaps, about such a course would be the finding of a competent teacher; but that would not be so very great in any institution, like Columbia or Harvard, that could draw from the company of

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carefully trained young lawyers which is likely, to-day, to be found in a large city.

It is difficult to state the contents of this book in a manner which would interest our readers, without going into considerable detail; and it is not important to do it, for the book is well known to legal scholars. The principal changes in this edition appear to be those mentioned in the preface, viz.: the "working out in greater detail" of the "analysis of a right," and of certain points as to the essentials of contract. A valuable and important passage is inserted in the twelfth chapter, enforcing the view that agreement is not always necessary in contract. "This view," says the author, "opposed as it is to the current of authority from Javolenus to Mr. F. Pollock and Sir W. Anson, was originally put forward with some diffidence. It is now restated with more confidence, since English friends who were at first decidedly opposed to it are converts to its truth, while a similar view, after having been, as it seems, for some years academically debated in Germany, has definitely come to the surface in the important work of Prof. Leonhard." The author, in saying that section 17 of the Statute of Frauds "renders void" a contract, while section 4, "though it does not void the contract, allows no action to be brought on it," appears to have overlooked the later English cases, which abandon the older doctrine about section 17. The statement is inaccurate that "English law requires that a contract . . . which, under the Statute of Frauds, has been necessarily made in writing, should be discharged in like manner." But such errors are very few, so far as we have observed, in this thoughtful and highly instructive book. Prof. Holland's accomplishments as a student of the Roman law have proved an excellent outfit for the work here undertaken. We commend the book to judges, to teachers of law, and to any general student who wishes to grow acquainted with the general principles of law.

Mr. William P. Wade's 'Treatise on the Law of Notices as affecting Civil Rights and Remedies' (Chicago: Callaghan & Co.), appears now in its second edition; the first was published in 1878. "The text," says the author, "has received additions to the extent of about 130 pages." The writer tells us in the preface to the first edition that before printing it he was reminded of certain difficulties about his task "by the oft-repeated interrogatory, . . . 'Notice of what?'" He would have done well to heed the intimations of that question. After a writer on "Notice" has got through with the discrimination between actual and constructive notice, he would seem to have little else to do than to present cross sections of various parts of the law, as the law of agency, of carriers, of real property, of evidence. Our author reaches the climax when he adds in this edition a chapter (and it is a very poor one) on "Facts of which Courts take Judicial Notice." It is true that he does this with the expression of an opinion that it does not belong here; but many people had complained of its absence, and, he naïvely adds, "all other considerations have been subordinated to that of utility." The inserting of such a chapter is mere incoherency. When the author was greeted with the "numerous complaints" to which he refers, he might fairly have asked his critics whether they supposed him to be writing a book on the *word* "Notice," and not, rather, on a *subject* thus denominated, and a subject capable of being reduced under some general principles. Yet, truly, such a question might have caused the author himself disquieting reflections. The book, as we have indicated, seems to be one of little merit.

A second edition of Mr. Victor Morawetz's 'Treatise on the Law of Private Corporations' (Little, Brown & Co.) has appeared in two volumes. The first edition, in one volume, was published in 1882. It was an excellent book; and now its value has been increased by a careful revision and rearrangement of the text, as well as by important additions. Especial attention seems to have been given to the chapters on the Validity of Corporate Acts, the Legal Consequences of the Formation of a Corporation without Authority of Law, and the Rights of Creditors. The author is a lawyer of no ordinary talents—acute, and not sparing of labor. Being of the mind of Lord Mansfield, apparently, when he said that "nothing is so apt to mislead as a metaphor," he deals peremptorily with that conception of a corporation which makes it a legal person, having high-sounding attributes of "immortality" and the like, as merely a convenient figure of speech. This, to be sure, is no new idea. What is new and very valuable is the careful and logical working out of the doctrine that "the word 'corporation' is but a collective name for the corporators or members who compose an incorporated association." The books, for a practitioner's use, are few which embody so much careful and exact thinking as this, and so much discriminating and first-hand research among the cases. It is probably the best treatise we have upon the subject.

There is little in the greatly expanded size of Mr. Herman's book on 'Estoppels' (Jersey City: F. D. Linn & Co.), swollen now in the second edition to two volumes, to give it any better claim upon the legal profession than belonged to the first edition. The present generation suffers not from a lack, but from a glut of law books. The mills of the courts grind neither slow nor fine; and the topic upon which thousands, or the point upon which scores or even hundreds of cases, cannot be cited, is hardly to be found. The crying need of the present day is not amplification, but assimilation and contraction. The production of law books is only too easy; the difficulty is to insure their quality. The next writer, therefore, whose boast is that, instead of the 565 pages and 2,700 citations of his first edition, there are 1,449 pages and 16,000 citations in his second, has not rendered a service to his profession, but inflicted harm upon it, unless his added matter is original and relevant. Indeed, we should hail the day when an author announced that his second edition was smaller than his first, as it often might well be by the condensation of related matter and the elimination of settled discussion. Exactly the reverse has been Mr. Herman's method; the book abounds with what we must regard as little else than stuffing, namely, citations beyond necessity and matter which is slightly, if at all, relevant to the text, and is fully and appropriately treated elsewhere. We give a few examples. At page 1,211, under estoppel as to "principal and agent," to support the recondite proposition that ratification is equal to original authority, to two lines of text there are cited *one hundred and one* cases. These are arranged neither by date nor place, so as to define the development and variations of the doctrine or its local application; but tumbled down in one indiscriminate heap. So at section 20, one hundred and forty, and, somewhat later, two hundred and twenty cases are cited on other points; but all in the same way. If the propositions they are cited to sustain needed so much authority, the salient points of difference should be indicated. If there were no such differences, such an accumulation is a monstrous abuse. The quality of the text is equally reprehensible. Repetition abounds. On page 2 we have seven different statements of what estoppel is, and but one of them that can be called even an approximately fair definition.

RECENT NOVELS.

Constance of Acadia. Boston: Roberts Bros.

Face to Face. Charles Scribner's Sons.

A Ranchman's Stories. By Howard Seely. Dodd, Mead & Co.

The Head Station. By Mrs. Campbell-Praed. Harper's Handy Series.

Violetta. After the German of Ursula von Manteuffel, by Mrs. A. L. Wister. Philadelphia: J. B. Lippincott Co.

The Evil Genius. By Wilkie Collins. Harper's Handy Series.

It is in a general way true that the value of human endeavor is in proportion to practical result, immediate or remote; yet many are the lives, beautiful, strong, altogether tragical, for which this standard of judgment is inadequate and unfair. Such a life was that of Constance Bernon, of La Rochelle, Mme. La Tour. The author of the historical romance, 'Constance of Acadia,' has brought into a light which she well can bear this woman who was great in herself, and great in her aims, rather than in temporary achievement or in permanent impression upon the cause and the country that were hers. Her soul was passionately devoted to noble principles, her mind persistently self-directed towards high issues; to hasten the establishment of a French Protestant kingdom in Acadia, her body knew no weariness, her spirit no discouragement. Yet for all that, practically speaking, she lived in vain. The Huguenots, whom she hoped and prayed might rise from the ruins of La Rochelle to set up their altars in the wilderness, never won any appreciable footing in Acadia. The mass of the early French settlers was Romanist; their posterity is priest-ridden. The Indians, among whom she labored incessantly, were ever more easily won by the miracle-working, painted puppets of the Jesuits, than by good works coupled with tedious appeal to an invisible, unsymbolized God. The carnal, astute husband, whose spiritual welfare was only dearer to her than were his worldly honesty and honor, could be, without inconvenience, either Catholic or Protestant, servant of Louis of France or Charles of England; could shift politics and religion as garments whenever the self-interest of Charles La Tour demanded a change. Little more than two centuries have elapsed since she died on the bastion of her forest fort, defending against Charnacé (the lover of her youth) her faith, her home, and her handful of followers; yet on that very spot her name is but a vague memory, while to the world familiar with Joan of Arc and the Maid of Saragossa it is unknown.

Clearly no page of history offers better opportunity for romantic and dramatic treatment than this. The events are comprised in a few years, and are fitted to the character of the actors as nicely as if devised by a cunning dramatist. The march of the tragedy is relentless, from the sacrifice of love for duty, made by Constance and Charles de Menou (Charnacé), in Rochelle, till the tide of Fundy washes over Constance, and the body of the brilliant, subtle, spiritual French noble lies frozen by the shore. The strain of it is indeed so intense that one almost feels the final, comic touch of the marriage of Charles La Tour with the so-called widow of Charnacé to be a deliberate wile of the dramatist, intended to relieve the depression of his audience.

The author of 'Constance of Acadia' has not taken even legitimate advantage of the materials at his hand. He has not missed the drama, but he has not given it its proper force and prominence. The fine outline is obscured by deviation from the natural succession of events. The arrangement is so unskilful that a reader unacquainted with the particulars of the duel between

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Charles La Tour and Charnacé for the possession of Acadia must have difficulty in following them. There are sentences and paragraphs which must be read over and over, and which, after all, depend for interpretation upon the reader's perceptions or imagination. The expression is so clumsy and imperfect that we can only ascribe its defects to the influence of original French documents, whose form and style have clung to the author along with the substance. These defects are specially noticeable in narration, and in the characterization of Charnacé; it is almost impossible, from the text, to get any notion of the tremendous struggle between love and religious fanaticism in the breast of a man so receptive, so susceptible to temporary influence, so passionate and proud. The delineation of Constance, a much simpler, more defined nature, is more satisfactory, and that of Charles La Tour is distinctly keen and admirable. There is room in him for a display of humor, of which the author has a good deal, and of which he makes best use in the chapters describing La Tour's visit to Boston, and the Puritan debate in which a question of conscience was opposed to a question of cash down. But if, through technical inaptitude, the author may fail to accomplish his expressed object—the popularization of colonial history—he has not shirked dry investigation, he has not lacked feeling for his subject; and he has produced a work which may be read, and ought to be widely read, with both interest and profit.

'Face to Face' is a novel with two motives, which are developed with a seriousness that verges on solemnity. The first is to make exact and impartial comparison between British and American social customs, and to reprove gently the Anglomaniacs of America. Owing to the poverty of illustrative incident and to the preponderance of expository platitude, the chapters devoted to these topics are fatiguing, but nevertheless full of instruction for an anxious multitude inquisitive about social matters. The second motive is profounder: it is to prove that the capital and labor question is a burning one, and that the present generation must wrestle with it. There is something delightfully ingenuous in the author's treatment of this motive. There is a simple frankness in his use of threadbare argument and a well-worn situation which shows them to be new to him, and makes them as good as new to the reader. The individuality of the author is therefore so interesting that one takes little note of the people whom he employs to display it. Still, it strikes one as improbable that a Girton girl should have such a store of geographical ignorance as had his philanthropic heroine, or that a fastidious and cosmopolitan gentleman should constantly preface his remarks with "I. presume," and embellish them with "Humph!"

'A Ranchman's Stories' may disseminate knowledge about sheep-raising in Texas, but they cannot excite interest in the industry or liking for the men engaged in it. The value of fictitious sketches of the semi-civilized phases of life depends on the author's perception of incident and character fitted for imaginative treatment. He must be able to soften the coarseness, almost savagery, inseparable from that life, and to bring into bold relief those human qualities which ennoble and beautify any life, however squalid or degraded. The people in these sketches are as dull as their sheep, almost as dull as the pedantic, descriptive passages, while their distinctly human attributes are uniformly offensive.

Mrs. Praed, in her Australian novel, 'The Head Station,' does not flinch before the unpleasant realism of life on a cattle ranch, but she makes the agreeable as prominent as the repulsive, and introduces us to people not wholly brutalized, depraved, or illiterate. She has in a remarkable degree, too, the art of familiarizing the reader with foreign landscape and foreign habits of living. After reading the first chapter, one feels that he has really been dawdling through a hot summer day on the Doondi veranda, watching the cattle graze in the pastures, and the shifting light and shadow on the mountains in the distance. Almost every descriptive passage, and there are many, imparts something of this rare pleasure. If the author had drawn upon her effective backgrounds only the one strong love-story of Hester and the tutor, she would have written a book nothing of which could be omitted without loss. But it is too much to demand sympathy with half-a-dozen hapless lovers, two of whom, at least, are of a sentimental and commonplace kind, out of place in so clever a book.

'Violetta' is below the standard of novels usually chosen by Mrs. Wister for translation. The story runs smoothly, and there is the agreeable union of homeliness and military glitter which make the atmosphere of most novels of upper-class German life. The one unusual situation is the Baroness von Treffenbach's flight from her husband, and the unusualness is not in the fact, but in the underlying reasons. The woman, who had been a great singer, was neither inconstant nor unloving, but the moment came when the monotony of assured rank and respectability pressed on her so heavily that she had to go. There is much to be said in behalf of a woman in such a case, but the author has little more charity for the Baroness than has the world, which passes a superficial yet inexorable judgment on the deed. The younger Treffenbach is very well characterized, but a prig of thirty years' standing is not to be reformed in a day. Even during the honeymoon he probably drew from his pocket a MS. nicely calculated properly to repress the too volatile and light-hearted Violetta.

In 'The Evil Genius' there is little to remind us of the lively ingenuity and the extreme technical cleverness of the author of the 'Moonstone.' The meaning of this long, unpleasant tale about conjugal unhappiness and infidelity is not plain, and neither plot nor characters are worthy of an hour's attention. It is just possible that Collins has here attempted to preach morality rather than to write a story. The result of his effort is so hopelessly confusing that it is charitable to ascribe his failure to his having struck out on a new path too late in life.

Sacred Mysteries among the Mayas and the Quiches 11,500 Years Ago. Their relation to the sacred mysteries of Egypt, Greece, Chaldea, and India. Free Masonry in times anterior to the temple of Solomon. Illustrated. By Augustus Le Plongeon. 8vo, pp. 163. New York: Robert Macoy. 1886.

When an author tells us that he has discovered the ancient hieratic alphabet of the Mayas; that by means of it he can decipher the bas-reliefs and mural inscriptions that are found in the deserted "cities" of Yucatan; that he has "learned at the fountain-head the esoteric meaning of some, at least, of the symbols, the interpretation of which has puzzled many a wise head," and fails to point out the steps by which he has arrived at these wonderful results, we can only congratulate him upon his good-fortune and bewail our own ignorance. But when he goes further, and tells us that the traditions handed down in the sacred books of the Hindoos, the Egyptians, and the Jews—as, for instance, those that relate to the fall of man and the death of Abel—were founded upon occurrences that took place some 11,500 years ago in Yucatan; that the statue, and the heart, partly cremated, of Prince Coh (or, as Dr. Le Plongeon formerly called him, Chaacmol), the Maya original of the Hebrew Abel, had actually been discovered; or when, basing his conclusions upon a study of these bas-reliefs and mural inscriptions, he assures us that "the philosophers of Mayax must have known that the waters cover the greatest part of the globe (about three-fifths); and that water, being a combination of gases (oxygen and hydrogen), the most subtile of fluids, must have been the first form of matter produced," criticism may well stand abashed for the want of suitable terms by which to characterize the statements. We might, it is true, deny them outright, but that would be discourteous, and we have too high an opinion of Dr. Le Plongeon and the work he has really accomplished to be guilty of such an offence; or we might call upon him for the proof, but that would be idle, since we are given to understand that he has in vain sought a publisher for the works to which he refers us, and in which, if anywhere, this proof would be forthcoming. Under the circumstances, then, all that we can do is to insist that statements like these are of such a revolutionary character that nothing short of the most indisputable evidence will secure their acceptance; and that, failing this, the facts upon which our author depends for the support of his theory as to the civilization of the ancient Mayas and the connection between them and the peoples of the Old World, are either not admitted (as is the case with the statement about the existence of the "lost Atlantis"), or else they do not justify the conclusions which he seeks to draw. Free Masonry may be "the great-grandchild" of the sacred mysteries of the Greeks, and it is possible that the Greeks may have obtained these mysteries from the Egyptians; but that the Egyptians or any other of the Old-World peoples derived them or any other of their customs directly from the Mayas 11,500 years ago, or at any other time, are propositions which, in the present state of our knowledge, cannot be accepted.

Great Lives. A course of history in biographies. By J. I. Mombert, D.D. First series. Boston: Leech, Shewell & Sanborn.

Teaching history by biography is an excellent method, provided the characters are selected with judgment and the lives so related as to convey some unity and continuity of impression. It is not easy to see on what principle of selection Dr. Mombert's "great lives" are chosen. Romulus and Lycurgus might pass muster, although they cannot be called historical personages; but Hercules is a pure myth. The selection of Saint Boniface and Godfrey of Bouillon shows a just historical sense; but to have both Washington and Franklin, and Lincoln and Grant, violates the sense of proportion, especially as there is no name between Cæsar and Constantine, between Godfrey and Columbus, or between Elizabeth and Peter the Great. The lives are, on the whole, well told, although not always adequately; for example, that of Scipio Africanus the younger ends with the capture of Carthage, nothing being said of his subsequent career. The lists of "authorities" appended to each life are curiously incomplete and misleading. For Luther we have Mosheim, D'Aubigné, and Bunsen; for Napoleon, Thiers, Alison, and A. Hugo. Neither Mommsen nor Freeman is referred to, nor any of the recent excellent short works (of the Epochs series, for instance); Milner's history of England and Duller's of Germany ("for young students acquainted with German") are mentioned several times. There are several maps, which have the merit of giving a clear general view, with the omission of irrelevant detail. In the map of the Napoleonic period the "French Empire" does not extend to the Baltic, but does include the kingdom of Italy.

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Specimens of Persian Handwriting. Illustrated with facsimiles from originals in the South Kensington Museum. By E. H. Palmer, M.A., late Lord Almoner's Professor of Arabic, Cambridge, etc. To which are added illustrations of the Nâgarî character. By Frederic Pincott, M.R.A.S. London: W. H. Allen & Co. 1886. Pp. vi, 52.

THE first part of this volume was prepared by the unfortunate Orientalist who perished so miserably in Egypt, and who is now commemorated in St. Paul's Cathedral. The remainder of it has been executed, and the whole prefaced and edited, by a rising scholar whose labors in connection with Hindî and Sanskrit there has more than once been occasion to commend in the columns of this journal. Its directions for writing the Persian and Nâgarî characters are as detailed and explicit as could be desired; and it cannot but prove eminently serviceable to all whose use of it is demanded by their vocation. Previously to the reform of the Indian civil service, introduced just after the abolition of the East India Company, it had, for some two generations, been a rare thing to find Indian magistrates or judges that had not forgotten the knowledge they acquired at Haileybury of reading and writing the languages of the Hindus and Mohammedans, whose interests depended so largely on the possession, by those who administered the law to them, of capacities which they had been too indolent or too unscrupulous to maintain. All this is now, under the improved order of things, essentially altered. It is mainly for the benefit of candidates for the Indian civil and military services, to whom may be added missionaries employed in the northern half of Hindustan, that the work of Prof. Palmer and Mr. Pincott is designed; and better guidance than that which they furnish could not easily be devised.

The Story of Germany. [The Story of the Nations.] By Sabine Baring-Gould, M.A., with the collaboration of Arthur Gilman, M.A. New York: G. P. Putnam's Sons. 1886.

IT is no easy task to write a consecutive history of a country whose annals are so devoid of unity as Germany, and we will not say that all the difficulties of the task have been overcome in the volume before us. But certainly it would be hard to find a more entertaining book, and one better calculated to give the young reader an interest in history. The picturesque and personal elements in the narrative are just what young readers want; and—to take illustrations at random—the personality of Prince Eugene (p. 268) and the circumstances of the seizure of Strassburg (p. 261) will, we warrant, never be forgotten by them. We think the author has erred in making his chapters too short; and, as we have already intimated, he has not always made the thread of connection sufficiently plain. The War of the Spanish Succession is introduced (p. 270) by a mention of the death of Charles II., but we are not told who this monarch was and on what ground the several claims were preferred. Neither is it correct to say that Joseph Ferdinand advanced a claim, he being already dead. The Hohenzollern genealogy (p. 265) will, we think, be found rather confusing by young persons. The illustrations deserve all praise, being, almost without exception, the representation of real objects, often the facsimiles of old pictures, all well calculated to convey useful information, and, what is better, to impress the historical imagination. There are a number of excellent portraits—Frederick III., from his tomb; John Frederick of Saxony, by Cranach; Joseph I., enveloped in wig and cloak; a sketch of peasants by Dürer and of patricians by Amman; several views by Beham; the house of Henry III. at Goslar; that of Barbarossa at Kaiserswerth. It would take too long to enumerate all the pictures of genuine historical value.

A Handbook of English History, based on the lectures of the late M. J. Guest, and brought down to the year 1880. With a supplementary chapter upon English literature in the nineteenth century. By Francis H. Underwood. Boston: Lee & Shepard. 1886. 8vo, pp. 614.

A FEW years ago (see *Nation*, September 4, 1879) we commended Mr. Guest's 'Lectures on the History of England' for its interest and suggestiveness. It appeared to us unusually well adapted to the use of young people just becoming acquainted with English history. A reëxamination of the book, as edited by Mr. Underwood, confirms us in this judgment. We know of no better sketch of its size. It is, as we said in our former notice, somewhat disproportioned, giving relatively too little space to modern history. Another defect, that it ended with the reign of George III., has been remedied by the editor, who has brought the narrative down to the present time, and has also added a map of the Saxon kingdoms in the tenth century, borrowed from Freeman. The work of the editor appears to have been done with good judgment. The redundancies and repetitions of an oral style have been pruned away, and expressions that were only suited to English readers have been altered to some neutral form. Generally the changes are an improvement, but in a few cases not. The added chapters, embracing the reigns of George IV., William IV., and Victoria, are too brief and compendious—perhaps necessarily brief, but certainly abounding to excess in names and dates. We will only say further that the merits of the book—as is natural in a course of popular lectures—are rather in picturesque narration, and that constitutional history (as in the contest of the seventeenth century) is perhaps necessarily meagre.

BOOKS OF THE WEEK.

Adams, O. F. August. Boston: D. Lothrop & Co.
A Wife's Confession, and Other Stories. Cassell & Co. 15 cents.
Bancroft, H. H. History of the Pacific States of North America. Vol. xvii. California, vol. v. 1846-1848. San Francisco: The History Co.
Bonnières, Robert de. Le Baiser de Maïna. Paris: Ollendorff; Boston: Schoenhof.
Broglie, Duc de. Souvenirs 1785—1870. T. ii and iii. Paris: Calmann Lévy; Boston: Schoenhof.
Chanteleuze, R. Portraits historiques. Paris: Perrin; Boston: Schoenhof.
Daudet, Ernest. Les Bourbons et la Russie pendant la Révolution française. Paris: Librairie Illustrée. Boston: Schoenhof.
Dostoïevsky, Th. Krotkaia. Paris: Plon & Nourrit; Boston: Schoenhof.
Forgues, Eugène. Correspondance inédite entre Lamennais et le baron de Vitrolles. Paris: Charpentier; Boston: Schoenhof.
Heulhard, A. Bravos et Sifflets. Paris: A. Duprat; Boston: Schoenhof.
Lorenz, Otto. Catalogue général de la librairie française depuis 1840. T. ix, 1re fascicule. A—Crémieux. Boston: Schoenhof.

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